



Journal of the Senate

State of Indiana

121st General Assembly

Second Regular Session

Thirteenth Meeting Day

Thursday Afternoon

January 30, 2020

The Senate convened at 1:56 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor JD Traylor, Hanover Baptist Church, Hanover, IN.

The Pledge of Allegiance to the Flag was led by Senator Jack E. Sandlin.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 95: present 50; excused 0. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 23

Senate Concurrent Resolution 23, introduced by Senator Niezgodski:

A CONCURRENT RESOLUTION recognizing "Farmworkers Awareness Week", Cesar Chavez, and the work of Proteus, Inc.

Whereas, Indiana's agribusiness employs over 30,000 year-round, seasonal and migrant farmworkers who are key partners for the safety, security, and sustainability of our food supply;

Whereas, The labor of Indiana's farmworkers contributes billions of dollars annually to the state's economy, and agriculture continues to be one of the principal industries in the state;

Whereas, Indiana honors all those who plant, cultivate, harvest, and process our agricultural products;

Whereas, March 31 is the birthday of Cesar Chavez, whose dedication and nonviolent organizing for just wages, safe labor conditions, and the dignity of the women, men, and children who toil in the fields moved him to lead a nationwide peaceful struggle for farmworker justice that continues today;

Whereas, Proteus, Inc. is an Iowa-based private 501(c)(3) nonprofit organization that has been serving migrant and seasonal farmworkers, immigrants, and others since 1979;

Whereas, In addition to offices in Iowa, Proteus serves a constituency in Indiana and Nebraska;

Whereas, Proteus, Inc. was created to help provide communities with health, educational, and economic opportunities;

Whereas, To achieve its goals, Proteus strives to make its programs accessible to as many members of the community as possible; embraces diversity in its staff, recipients of its services, program delivery, and in programs as a whole; develops a culture of respect and acceptance in its organization and general community; creates, evaluates, and maintains programs to meet the changing needs of communities; and treats all people in an honest, caring, and respectful manner; and

Whereas, The agricultural industry is strong throughout our state, and the strength of the industry's workers continue to keep it great: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the efforts of Indiana's farmworkers and their many contributions to the agricultural industry in our state. The members of the Indiana Senate also recognize the contributions of Cesar Chavez

and acknowledge him on his birthday. Organizations like Proteus, Inc. help to bring a fair wage and safe and secure working environments to all the members of Indiana's agricultural labor force.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Kokomo chapter of Proteus, Inc.

The resolution was read in full and referred to the Committee on Pensions and Labor.

House Concurrent Resolution 20

House Concurrent Resolution 20, sponsored by Senator Bohacek:

A CONCURRENT RESOLUTION urging the study of constructing an inn at Potato Creek State Park.

Whereas, Potato Creek State Park was founded in 1983 to preserve the natural habitats and beauty of Northern Indiana near South Bend;

Whereas, Potato Creek State Park features the 327 acre Worster Lake in addition to old fields, mature woodlands, restored prairies, and diverse wetlands;

Whereas, Potato Creek State Park offers year round activities and facilities for local residents and tourists;

Whereas, Potato Creek State Park is one of the five most visited state parks in the Indiana system according to Visit South Bend Mishawaka; and

Whereas, The Indiana General Assembly recognizes the positive impact of Potato Creek State Park for tourism in Northern Indiana: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly urges the legislative council to assign to an appropriate study committee the topic of funding the construction of an inn at Potato Creek State Park and allowing the Indiana Department of Natural Resources to plan, design, and implement its construction.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Ross Deal.

The resolution was read in full and referred to the Committee on Natural Resources.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Concurrent

Resolution 15, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 7, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 19, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-1-9.5-2.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.2. As used in this chapter, "eye care professional" means either of the following:**

(1) An ophthalmologist licensed under IC 25-22.5.

(2) An optometrist licensed under IC 25-24.

SECTION 2. IC 25-1-9.5-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.8. As used in this chapter, "ophthalmic device" means either of the following:**

(1) Eye glasses.

(2) Contact lenses.

SECTION 3. IC 25-1-9.5-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.5. As used in this chapter, "refraction" means a test that is performed to measure an individual's prescription for eye glasses or contact lenses."**

Page 3, line 8, delete "prescriber" and insert "eye care professional".

Page 3, line 9, delete "." and insert "**that occurred within two (2) years before the initial use of telemedicine for a refraction under subdivision (5)(A).**".

Page 3, line 12, delete "." and insert "**that occurred within two (2) years before the initial use of telemedicine for a refraction under subdivision (5)(A).**".

Page 3, delete lines 30 through 36.

Renumber all SECTIONS consecutively.

(Reference is to SB 19 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 27, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 43, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 17, line 10, delete "Property, including an instrument or device," and insert "Property".

Page 17, line 11, reset in roman "counterfeiting or forgery in".

Page 17, line 11, delete "a".

Page 17, line 12, reset in roman "IC 35-43-5-2".

Page 17, line 12, delete "IC 35-43-5".

Page 21, between lines 13 and 14, begin a new paragraph and insert:

"(e) For purposes of a misrepresentation under IC 35-43-5-4 relating to insurance, "pecuniary loss" means the highest policy limit available through any coverage in the policy."

Page 22, line 11, reset in roman "forgery of an instrument for payment of".

Page 22, line 12, reset in roman "money, or for the uttering of a forged instrument,".

Page 22, line 12, delete "fraud relating to the".

Page 22, delete line 13.

Page 22, line 14, delete "payment of money".

Page 22, line 14, reset in roman "IC 35-43-5-2".

Page 22, line 14, delete "IC 35-43-5-4".

Page 30, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 32. IC 35-43-5-2, AS AMENDED BY P.L.197-2015, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person who knowingly or intentionally:

(1) makes or utters a written instrument in such a manner that it purports to have been made:

(A) by another person;

(B) at another time;

(C) with different provisions; or

(D) by authority of one who did not give authority; or

(2) possesses more than one (1) written instrument knowing that the written instruments were made in a manner that they purport to have been made:

(A) by another person;

(B) at another time;

(C) with different provisions; or

(D) by authority of one who did not give authority;

commits counterfeiting, a Level 6 felony.

(b) A person who, with intent to defraud:

(1) makes or delivers to another person:

(A) a false sales receipt;

(B) a duplicate of a sales receipt; or

(C) a label or other item with a false universal product code (UPC) or other product identification code; or

(2) places a false universal product code (UPC) or another product identification code on property displayed or offered for sale;

commits making or delivering a false sales document, a Level 6 felony:

(c) A person who, with intent to defraud, possesses:

(1) a retail sales receipt;

(2) a label or other item with a universal product code (UPC); or

(3) a label or other item that contains a product identification code that applies to an item other than the item to which the label or other item applies;

commits possession of a fraudulent sales document, a Class A misdemeanor. However, the offense is a Level 6 felony if the person possesses at least fifteen (15) retail sales receipts; at least fifteen (15) labels containing a universal product code (UPC); at least fifteen (15) labels containing another product identification code; or at least fifteen (15) of any combination of the items described in subdivisions (1) through (3):

(d) (b) A person who, with intent to defraud, makes, utters, or possesses a written instrument in such a manner that it purports to have been made:

(1) by another person;

(2) at another time;

(3) with different provisions; or

(4) by authority of one who did not give authority;

commits forgery, a Level 6 felony.

(e) This subsection applies to a person who applies for a driver's license (as defined in IC 9-13-2-48); a state identification card (as described in IC 9-24-16); or a photo exempt identification card (as described in IC 9-24-16.5): A person who:

(1) knowingly or intentionally uses a false or fictitious name or gives a false or fictitious address in an application for a driver's license; a state identification card; or a photo exempt identification card or for a renewal or a duplicate of a driver's license; a state identification card; or a photo exempt identification card; or

(2) knowingly or intentionally makes a false statement or conceals a material fact in an application for a driver's license; a state identification card; or a photo exempt identification card;

commits application fraud; a Level 6 felony."

Page 31, delete lines 1 through 40.

Page 35, between lines 8 and 9, begin a new line block indented and insert:

"(2) with the intent to cause another person to obtain property to which the other person would not otherwise be entitled, knowingly or intentionally:

(A) makes a false or misleading statement;

(B) creates a false impression in a third person; or

(C) causes to be presented a claim that:

(i) contains a false or misleading statement; or

(ii) creates a false or misleading impression in a third person;"

Page 35, line 9, delete "(2)" and insert "(3)".

Page 35, line 16, delete "(3)" and insert "(4)".

Page 35, line 17, delete "or (2);" and insert "**through (3);**".

Page 36, between lines 29 and 30, begin a new line block indented and insert:

"(9) Except as provided in subsection (d), the person:

(A) made the false or misleading statement; or

(B) created the false impression in another person; on or by means of a document or written instrument."

Page 36, between lines 38 and 39, begin a new paragraph and insert:

"(d) The offense described in subsection (b)(9) is a Class A misdemeanor if the pecuniary loss is less than seven hundred fifty dollars (\$750)."

Page 53, delete lines 26 through 42, begin a new paragraph and insert:

"SECTION 60. IC 35-45-6-1, AS AMENDED BY P.L.80-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The definitions in this section apply throughout this chapter.

(b) "Documentary material" means any document, drawing, photograph, recording, or other tangible item containing compiled data from which information can be either obtained or translated into a usable form.

(c) "Enterprise" means:

(1) a sole proprietorship, corporation, limited liability company, partnership, business trust, or governmental entity; or

(2) a union, an association, or a group, whether a legal entity or merely associated in fact.

(d) "Pattern of racketeering activity" means engaging in at least two (2) incidents of racketeering activity that have the same or similar intent, result, accomplice, victim, or method of commission, or that are otherwise interrelated by distinguishing characteristics that are not isolated incidents. However, the incidents are a pattern of racketeering activity only if at least one (1) of the incidents occurred after August 31, 1980, and if the last of the incidents occurred within five (5) years after a prior incident of racketeering activity.

(e) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit a violation of, or aiding and abetting in a violation of any of the following:

(1) A provision of IC 23-19, or of a rule or order issued under IC 23-19.

(2) A violation of IC 35-45-9.

(3) A violation of IC 35-47.

(4) A violation of IC 35-49-3.

(5) Murder (IC 35-42-1-1).

(6) Battery as a Class C felony before July 1, 2014, or a Level 5 felony after June 30, 2014 (IC 35-42-2-1).

(7) Kidnapping (IC 35-42-3-2).

(8) Human and sexual trafficking crimes (IC 35-42-3.5).

(9) Child exploitation (IC 35-42-4-4).

(10) Robbery (IC 35-42-5-1).

(11) Carjacking (IC 35-42-5-2) (before its repeal).

(12) Arson (IC 35-43-1-1).

(13) Burglary (IC 35-43-2-1).

(14) Theft (IC 35-43-4-2).

(15) Receiving stolen property (IC 35-43-4-2) (before its

amendment on July 1, 2018).

(16) Forgery (IC 35-43-5-2).

(17) ~~Fraud (IC 35-43-5-4(1) through IC 35-43-5-4(10)).~~
An offense under IC 35-43-5.

(18) Bribery (IC 35-44.1-1-2).

(19) Official misconduct (IC 35-44.1-1-1).

(20) Conflict of interest (IC 35-44.1-1-4).

(21) Perjury (IC 35-44.1-2-1).

(22) Obstruction of justice (IC 35-44.1-2-2).

(23) Intimidation (IC 35-45-2-1).

(24) Promoting prostitution (IC 35-45-4-4).

(25) Professional gambling (IC 35-45-5-3).

(26) Maintaining a professional gambling site (IC 35-45-5-3.5(b)).

(27) Promoting professional gambling (IC 35-45-5-4).

(28) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).

(29) Dealing in methamphetamine (IC 35-48-4-1.1).

(30) Manufacturing methamphetamine (IC 35-48-4-1.2).

(31) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(32) Dealing in a schedule IV controlled substance (IC 35-48-4-3).

(33) Dealing in a schedule V controlled substance (IC 35-48-4-4).

(34) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).

(35) Money laundering (IC 35-45-15-5).

(36) A violation of IC 35-47.5-5.

(37) A violation of any of the following:

(A) IC 23-14-48-9.

(B) IC 30-2-9-7(b).

(C) IC 30-2-10-9(b).

(D) IC 30-2-13-38(f).

(38) Practice of law by a person who is not an attorney (IC 33-43-2-1).

(39) An offense listed in IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(40) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5)."

Delete pages 54 through 55.

Renumber all SECTIONS consecutively.

(Reference is to SB 43 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 46, has had the

same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning environmental law.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "storm water district" means the special taxing district created under IC 8-1.5-5-5.

(b) As used in this SECTION, "storm water fees" means fees that are assessed on property by a storm water management board under IC 8-1.5-5-7 or a county drainage board under IC 36-9-27-114.

(c) The general assembly finds that storm water fees assessed by some local governments are:

(1) a financial burden for religious organizations and school corporations (as defined in IC 20-18-2-16(a)); and

(2) in some cases, being assessed on properties that do not use, do not affect, or are not served by the storm water improvements for which the storm water fee is assessed.

(d) The legislative council is urged to assign to an appropriate interim study committee the task of studying storm water fees. An interim study committee assigned a study under this SECTION shall consider the following:

(1) The manner in which storm water fees are assessed against properties.

(2) The amount of outstanding indebtedness incurred by:

(A) storm water districts; and

(B) county drainage boards for storm water improvements under IC 36-9-27-114.

(3) Placing limits on property owners' exposure to excessive storm water fee assessments resulting from the large outstanding debts incurred by the entities listed in subdivision (2).

(4) Alleviating the financial burden of storm water fees assessed on property:

(A) where religious services are held regularly; or

(B) that belongs to a school corporation (as defined in IC 20-18-2-16(a)) and is used for educational purposes.

(e) This SECTION expires January 1, 2021.

SECTION 2. An emergency is declared for this act."

Delete pages 2 through 4.

(Reference is to SB 46 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 97, has had the same under consideration and begs leave to report the same

back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 10, after "during the" insert "**current**".

Page 2, delete lines 12 through 14, begin a new line block indented and insert:

"(1) the covered individual received coverage for the drug during the current plan year;"

Page 2, delete lines 22 through 23, begin a new line block indented and insert:

"(2) Changing:

(A) a copayment amount;

(B) a coinsurance rate;

(C) prescription drug cost sharing minimum or maximum amounts;

(D) a deductible; or

(E) a prescription drug maximum out-of-pocket amount in a manner as to raise the covered individual's out-of-pocket costs for a drug."

Page 2, line 24, delete "(4)" and insert "(3)".

Page 2, line 26, delete "(5)" and insert "(4)".

Page 2, line 29, delete "(6)" and insert "(5)".

Page 2, line 38, delete "(7)" and insert "(6)".

Page 3, line 23, after "during the" insert "**current**".

Page 3, delete lines 24 through 26, begin a new line block indented and insert:

"(1) the insured received coverage for the drug during the current plan year;"

Page 3, delete lines 34 through 35, begin a new line block indented and insert:

"(2) Changing:

(A) a copayment amount;

(B) a coinsurance rate;

(C) prescription drug cost sharing minimum or maximum amounts;

(D) a deductible; or

(E) a prescription drug maximum out-of-pocket amount in a manner as to raise the insured's out-of-pocket costs for a drug."

Page 3, line 36, delete "(4)" and insert "(3)".

Page 3, line 38, delete "(5)" and insert "(4)".

Page 3, line 40, delete "(6)" and insert "(5)".

Page 4, line 7, delete "(7)" and insert "(6)".

Page 4, line 27, after "during the" insert "**current**".

Page 4, delete lines 29 through 31, begin a new line block indented and insert:

"(1) the enrollee received coverage for the drug during the current plan year;"

Page 4, delete lines 39 through 40, begin a new line block indented and insert:

"(2) Changing:

(A) a copayment amount;

(B) a coinsurance rate;

(C) prescription drug cost sharing minimum or maximum amounts;

(D) a deductible; or

(E) a prescription drug maximum out-of-pocket amount in a manner as to raise the enrollee's

out-of-pocket costs for a drug."

Page 4, line 41, delete "(4)" and insert "(3)".

Page 5, line 1, delete "(5)" and insert "(4)".

Page 5, line 3, delete "(6)" and insert "(5)".

Page 5, line 12, delete "(7)" and insert "(6)".

(Reference is to SB 97 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 123, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Page 1, line 1, delete "IC 6-3.1-35" and insert "IC 5-20-10".

Page 1, line 4, delete "35." and insert "10".

Page 1, line 4, delete "Tax Credit" and insert "**Incentive Program**".

Page 1, delete lines 5 through 12.

Page 1, line 13, delete "2." and insert "1".

Page 1, between lines 13 and 14, begin a new line block indented and insert:

"(1) 'Application' means an application submitted for an incentive under the program by an eligible applicant to the authority under section 3 of this chapter."

Page 1, line 14, delete "(1)" and insert "(2)".

Page 1, delete lines 16 through 17.

Page 2, delete line 1.

Page 2, line 2, delete "taxpayer" and insert "**person**".

Page 2, delete lines 13 through 21, begin a new line block indented and insert:

"(5) 'Person' means an individual, a corporation, an S corporation, a partnership, a limited partnership, a limited liability partnership, a limited liability company, or a joint venture."

"(6) 'Program' means a program established by the authority under section 2 to incentivize investment in qualified projects in Indiana."

Page 2, line 22, delete "(6)" and insert "(7)".

Page 2, line 24, delete "(7)" and insert "(8)".

Page 2, delete lines 33 through 42.

Delete pages 3 through 4.

Page 5, delete lines 1 through 25, begin a new paragraph and insert:

"Sec. 2. The authority may establish a program to incentivize investment in qualified projects in Indiana."

Page 5, line 26, delete "7." and insert "3".

Page 5, line 26, delete "the state".

Page 5, line 27, delete "tax credit provided by this chapter"

and insert "**an incentive under the program**".

Page 5, line 35, delete "Subject to section 8 of this chapter, the" and insert "**The**".

Page 5, line 36, delete "a tax credit" and insert "**an**".

Page 5, line 40, delete "tax credit".

Page 5, line 41, delete "state tax credits" and insert "**an incentive under the program**".

Page 5, delete line 42.

Page 6, delete lines 1 through 12.

Page 6, line 13, delete "(e)" and insert "**(d)**".

Page 6, line 13, delete "a tax credit" and insert "**an**".

Page 6, line 20, delete "For each taxable year in the state tax credit period of the" and insert "**The incentive that the authority is awarding to the eligible applicant for the qualified project.**".

Page 6, delete lines 21 through 42.

Page 7, delete lines 1 through 6.

Page 7, line 7, delete "10. The department or the authority, or both," and insert "**4. The authority**".

Page 7, delete lines 9 through 10, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE UPON PASSAGE] (a) Before October 1, 2020, and subject to subsection (b), the Indiana housing and community development authority shall prepare a detailed report concerning affordable and workforce housing incentives and provide the report to the interim study committee on fiscal policy established by IC 2-5-1.3-4. The report must be in an electronic format under IC 5-14-6.

(b) The report required under subsection (a) must include at least the following:

(1) Information concerning affordable and workforce housing incentives offered in all other states.

(2) Information concerning the effectiveness of affordable and workforce housing incentives offered in all other states.

(3) A recommendation on the type of affordable and workforce housing incentives Indiana should offer in order to increase affordable and workforce housing in Indiana, including the maximum amount of incentives that should be offered.

(c) This SECTION expires July 1, 2023.

SECTION 3. An emergency is declared for this act."

(Reference is to SB 123 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 139, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 7, delete lines 29 through 42.

Page 8, delete lines 1 through 26.

Renumber all SECTIONS consecutively.

(Reference is to SB 139 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 146, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-340.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 340.5. "State sexual assault response team", for purposes of IC 16-21-8-2, has the meaning set forth in IC 35-40.5-1-1.**"

Page 1, strike lines 16 through 17.

Page 2, strike lines 1 through 3.

Page 2, delete lines 4 through 6.

Page 2, line 7, strike "(3)" and insert "(1)".

Page 2, line 7, delete "form." and insert "form described in subsection (d).".

Page 2, strike lines 8 through 9, begin a new line block indented and insert:

"(2) Requiring the law enforcement agency located in the jurisdiction in which the crime occurred to be responsible for the transport and storage of sexual assault examination kits."

Page 2, line 10, strike "(5)" and insert "(3)".

Page 2, line 12, strike "(6)" and insert "(4)".

Page 2, line 13, strike "(7)" and insert "(5)".

Page 2, between lines 20 and 21, begin a new paragraph and insert:

"(d) The state sexual assault response team shall develop a victim notification form that notifies an alleged sexual assault victim of his or her rights under the law, including the rights of a victim as described in IC 35-40.5. The victim notification form must include contact information for the designated liaison described in subsection (c)."

Page 3, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 11. IC 35-31.5-2-312.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 312.5. "State sexual assault response team", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1.**"

Page 4, line 38, delete "IC 35-37-6-3.5) or" and insert "IC 35-37-6-3.5).".

Page 4, line 39, delete "IC 35-37-6-5)." and insert "IC 35-37-6-5), victims assistance, or a social worker.".

Page 5, between lines 2 and 3, begin a new line block indented and insert:

"(9) "State sexual assault response team" means the

statewide sexual assault response team coordinated by the Indiana prosecuting attorneys council and the Indiana criminal justice institute."

Page 5, line 3, delete "(9)" and insert "(10)".

Page 5, line 31, delete "(a)".

Page 5, line 32, delete "consult" and insert "speak".

Page 5, line 32, delete "before and".

Page 5, line 32, after "during" insert **"any hospital visit for the purpose of receiving a sexual assault examination; and"**.

Page 5, delete lines 33 through 36, begin a new line block indented and insert:

"(2) speak with a sexual assault counselor during the course of the investigation."

Page 5, delete lines 39 through 42.

Page 6, delete lines 1 through 7.

Page 6, line 8, delete "(c)" and insert "Sec. 2.".

Page 6, line 18, delete "county or regional" and insert "state".

Page 6, line 20, delete "receipt." and insert **"receipt, unless the victim has already been provided with the document under IC 35-40.5-5-1."**

Page 6, line 21, delete "consult" and insert "speak".

Page 6, line 29, delete "county or regional" and insert "state".

Page 6, line 31, delete "receipt." and insert **"receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2."**

Page 6, line 32, delete "consult" and insert "speak".

Page 6, line 33, delete "any interview by a law enforcement officer" and insert **"the course of the investigation."**

Page 6, delete line 34.

Page 6, line 36, delete "prompt".

Page 6, delete line 38 and insert **"examination, conducted in a reasonable time period."**

Page 6, line 41, delete "ninety (90) days," and insert **"a reasonable time period,"**

Page 7, line 2, delete "crime laboratory" and insert **"investigating law enforcement agency"**.

Page 7, line 13, delete "crime laboratory" and insert **"investigating law enforcement agency"**.

Page 7, line 13, after "shall" insert **"attempt to"**.

Page 7, line 14, delete "destruction." and insert **"destruction, both by telephone and in writing at the victim's last known address."**

Page 7, line 15, delete "crime laboratory" and insert **"investigating law enforcement agency"**.

Page 7, between lines 19 and 20, begin a new line block indented and insert:

"(5) The investigating law enforcement agency shall maintain all waivers and requests received under this article."

Page 7, delete lines 20 through 42.

Page 8, delete line 1.

Page 8, line 2, delete "Sec. 5." and insert **"Sec. 3."**

Page 8, line 8, delete "Sec. 6." and insert **"Sec. 4."**

Page 8, line 34, delete "required:" and insert **"required to receive a medical evidentiary or physical examination in order to retain the rights provided under this article or any other relevant law."**

Page 8, delete lines 35 through 39.

Page 9, delete lines 3 through 22.
 Renumber all SECTIONS consecutively.
 (Reference is to SB 146 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 6, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 184, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, after line 21, begin a new paragraph and insert:

"Sec. 5. Notwithstanding section 4 of this chapter, nonprofit agricultural organization coverage issued by a nonprofit agricultural organization is subject to the insurance premiums tax under IC 27-1-18-2.

Sec. 6. A nonprofit agricultural organization offering coverage under this chapter shall file a signed actuarial statement with the department of insurance annually certifying that the plan reserves are adequate and conform to the appropriate actuarial standards of practice.

Sec. 7. A nonprofit agricultural organization offering coverage under this chapter may reinsure the risk under this coverage using a company authorized to conduct reinsurance in Indiana.

Sec. 8. A nonprofit agricultural organization offering coverage under this chapter shall adopt a complaint procedure that is materially similar to the procedure used by the department of insurance."

(Reference is to SB 184 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 199, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 39, delete "fifty" and insert "**twenty-five**".

Page 2, line 40, delete "\$50,000" and insert "**(\$25,000)**".

Page 2, line 42, delete "one hundred fifty" and insert "**seventy-five**".

Page 3, line 1, delete "\$150,000" and insert "**(\$75,000)**".

(Reference is to SB 199 as printed January 17, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 207, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning health.

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 32.

Page 5, delete lines 35 through 42.

Delete page 6.

Renumber all SECTIONS consecutively.

(Reference is to SB 207 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 208, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 209, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 9 through 13, begin a new paragraph and insert:

"(f) Notwithstanding section 4 of this chapter, a warrant authorizing a search, testing, or other analysis of an item, tangible or intangible, is deemed executed when the item is seized by a law enforcement officer. A return of a warrant authorizing a search, testing, or other analysis of an item is sufficient if the return contains a statement indicating that the item was seized by a law enforcement officer."

(Reference is to SB 209 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 216, has had the same under

consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 236, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 9.

Page 2, line 7, delete "with:" and insert "with".

Page 2, line 8, delete "(1)".

Page 2, line 8, delete "IC 35-48-2," and insert "IC 35-48-2".

Page 2, delete line 9.

Page 2, line 10, delete "hash oil, or hashish,".

Page 2, line 10, delete "body; or" and insert "body".

Page 2, delete lines 11 through 13.

Page 2, run in lines 7 through 14.

Page 2, line 15, delete "that" and insert "that:

(1)".

Page 2, line 18, delete "practice." and insert "practice; or

(2) the:

(A) controlled substance is THC; and

(B) sample was taken as the result of a request made under IC 9-30-7."

Page 2, delete lines 19 through 42.

Delete pages 3 through 6.

Renumber all SECTIONS consecutively.

(Reference is to SB 236 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 239, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 243, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new

paragraph and insert:

"SECTION 1. IC 12-7-2-174.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 174.7. (a) "Service facility location", for purposes of IC 12-15-11, means the address where the services of a provider facility or practitioner were provided.**

(b) The term consists of exact address and place of service codes as required on CMS forms 1500 and 1450, including an office, on-campus location of a hospital, and off-campus location of a hospital."

Page 1, line 8, delete "where the" and insert "**of the service facility location in order to obtain Medicaid reimbursement for a claim for health care services from the office or a managed care organization.**

(c) The office or a managed care organization is not required to accept a claim for health care services that does not contain the service facility location."

Page 1, delete lines 9 through 10.

Renumber all SECTIONS consecutively.

(Reference is to SB 243 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 244, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 11, delete lines 40 through 42.

Delete pages 12 through 17.

Page 18, delete lines 1 through 4.

Renumber all SECTIONS consecutively.

(Reference is to SB 244 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 263, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 3.

Page 4, delete lines 1 through 13.

Page 4, delete lines 19 through 20.

Page 4, line 21, delete "2." and insert "1."

Page 4, delete lines 23 through 26.

Page 4, line 27, delete "5." and insert "2."

Page 4, line 34, delete "6." and insert "3."

Page 4, line 35, delete "Indiana," and insert **"Indiana other than a charter school,"**.

Page 4, line 39, delete "school other than a public school," and insert **"nonpublic school,"**.

Page 5, line 2, delete "7." and insert **"4."**

Page 5, line 4, delete "8." and insert **"5."**

Page 5, line 9, delete "member" and insert **"member, other than a law enforcement officer or school resource officer,"**.

Page 5, line 15, delete "11" and insert **"7"**.

Page 5, line 20, delete "proof of completion" and insert **"the results of the inventory to the school board"**.

Page 5, line 21, delete "10" and insert **"6"**.

Page 5, line 23, after "nonpublic school" insert **"described in subsection (b)"**.

Page 5, line 25, after "member" insert **"is authorized and"**.

Page 5, delete lines 26 through 42.

Page 6, delete lines 1 through 15, begin a new paragraph and insert:

"Sec. 6. Before an employee or other staff member of a school corporation, charter school, or nonpublic school described in section 7(b) of this chapter may carry a firearm in or on school property as authorized by the school board of the school corporation, charter school, or nonpublic school, the employee or other staff member must:

(1) successfully complete the Minnesota multiphasic personality inventory 2 (MMPI-II); and

(2) provide the results from the Minnesota multiphasic personality inventory 2 (MMPI-II) to the school board of the school corporation, charter school, or nonpublic school."

Page 6, line 16, delete "11." and insert **"7."**

Page 6, line 17, delete "8" and insert **"5"**.

Page 6, line 17, delete "or paid for using a grant from the Indiana".

Page 6, line 18, delete "safe schools fund as provided under section 9 of this chapter".

Page 8, line 19, delete "board" and insert **"applicable school board"**.

Page 8, line 20, delete "12" and insert **"8"**.

Page 8, line 21, delete "12." and insert **"8. (a) A school board of a school corporation, charter school, or nonpublic school may approve one (1) or more persons or entities to provide specialized weapons training under this chapter to the employees or other staff members of the school corporation, charter school, or nonpublic school.**

(b)".

Page 8, line 21, delete "by the" and insert **"by a school"**.

Page 8, line 24, after "with the" insert **"school"**.

Page 8, delete lines 25 through 32, begin a new line block indented and insert:

"(2) The person or entity provides to the school board a training plan that meets or exceeds the requirements established under section 7(a) of this chapter."

Page 9, line 9, delete "13. The board shall" and insert **"9. A school board may"**.

Page 9, line 11, delete "11 and 12" and insert **"7 and 8"**.

Page 9, between lines 11 and 12, begin a new paragraph and

insert:

"Sec. 10. Nothing in this chapter may be construed to:

(1) require an employee or other staff member of a school corporation, charter school, or nonpublic school to carry a firearm in or on school property; or

(2) authorize a school board or a school corporation, charter school, or nonpublic school to require an employee or other staff member of a school corporation, charter school, or nonpublic school to carry a firearm in or on school property."

Page 9, delete lines 12 through 27.

Page 10, after line 19, begin a new paragraph and insert:

"SECTION 4. IC 35-47-9-1, AS AMENDED BY P.L.107-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This chapter does not apply to the following:

(1) A:

(A) federal;

(B) state; or

(C) local;

law enforcement officer.

(2) A person who may legally possess a firearm and who, subject to IC 10-21-2, has been authorized by:

(A) a school board (as defined by IC 20-26-9-4); or

(B) the body that administers a charter school established under IC 20-24;

to carry a firearm in or on school property.

(3) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses the firearm in a motor vehicle.

(4) A person who is a school resource officer, as defined in IC 20-26-18.2-1.

(5) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses only a firearm that is:

(i) locked in the trunk of the person's motor vehicle;

(ii) kept in the glove compartment of the person's locked motor vehicle; or

(iii) stored out of plain sight in the person's locked motor vehicle.

(6) A person who:

(A) may legally possess a firearm; and

(B) possesses a firearm on school property in connection with or while:

(i) attending a worship service or religious ceremony conducted at a house of worship located on the school property; or

(ii) carrying out the person's official duties at a house of worship located on the school property, if the person is employed by or a volunteer at the house of worship.

This subdivision does not affect the right of a property owner to prohibit, in whole or in part, the possession of a firearm on a property where a school or house of worship is located.

(b) For purposes of subsection (a)(3) and (a)(5), a person does

not include a person who is:

- (1) enrolled as a student in any high school except if the person is a high school student and is a member of a shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or
- (2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months.

(c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle does not include a motor vehicle owned, leased, or controlled by a school or school district unless the person who possesses the firearm is, **subject to IC 10-21-2**, authorized by the school or school district to possess a firearm."

Renumber all SECTIONS consecutively.

(Reference is to SB 263 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 2.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 273, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 10, delete "." and insert **"who shall serve as a nonvoting member."**

Page 2, line 12, delete "." and insert **"who shall serve as a nonvoting member."**

Page 2, line 14, delete "." and insert **"who shall serve as a nonvoting member."**

Page 2, line 16, delete "." and insert **"who shall serve as a nonvoting member."**

Page 2, delete lines 28 through 32, begin a new line block indented and insert:

"(11) The following individuals from a community mental health center:

(A) One (1) representative who serves as a chief executive officer at a community mental health center.

(B) Three (3) representatives with supervisory experience at a community mental health center, with one (1) representative from each of the following service areas:

(i) Adult services.

(ii) Youth services.

(iii) Addictions services."

Page 3, delete lines 11 through 17, begin a new line block indented and insert:

"(24) One (1) licensed clinical social worker.

(25) One (1) representative of a mental health provider association with statewide jurisdiction.

(b) The governor shall appoint the commission members described in subsection (a)(10) through (a)(25). The governor

shall appoint one (1) member of the commission to serve as chairperson of the commission.

(c) A:

(1) chairperson shall serve at the pleasure of the governor; and

(2) commission member shall serve at the pleasure of the chairperson."

(Reference is to SB 273 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 295, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete line 17, begin a new paragraph and insert:

"SECTION 2. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. (a) Not later than December 15, 2018; 2020, and each December 15 thereafter, each public school, including a charter school, and accredited nonpublic school shall provide age appropriate: and

(1) research and evidence based; or

(2) research or evidence based;

instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

(b) The department, in consultation with school safety specialists, and school counselors, school social workers, or school psychologists, shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.

(c) Any outlines and materials identified under subsection (b) must be demonstrated to be effective and promising.

(d) Instruction on child abuse and child sexual abuse may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of child abuse and child sexual abuse.

SECTION 3. IC 20-30-5-14, AS AMENDED BY P.L.57-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "Indiana career explorer program and standards" refers to the:

(1) Internet based system approved by the department of workforce development; and

(2) standards established by the department of workforce development that are aligned to interdisciplinary employability skills standards prescribed in subsection (c);

(d);

that provides students with career and college planning resources. This subsection expires June 30, 2021.

(b) This subsection applies beginning July 1, 2021. As used in this section, "Indiana career explorer program" refers to software or an Internet based system approved by the

department of workforce development under subsection (m) that provides students with career and college planning resources.

~~(b)~~ (c) To:

- (1) educate students on the importance of their future career choices;
- (2) prepare students for the realities inherent in the work environment; and
- (3) instill in students work values that will enable them to succeed in their respective careers;

each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values described in subsection ~~(c)~~: **(d)**.

~~(c)~~ **Not later than July 1, 2019;** **(d)** Each school within a school corporation shall include interdisciplinary employability skills standards established by the department, in conjunction with the department of workforce development, and approved by the state board in the school's curriculum.

~~(d)~~ (e) Each school shall:

- (1) integrate within the curriculum instruction that is; or
- (2) conduct activities or special events periodically that are; designed to foster overall career awareness and career development as described in subsection ~~(b)~~: **(c)**.

~~(e)~~ **(f)** The department shall develop career awareness and career development models as described in subsection ~~(f)~~ **(g)** to assist schools in complying with this section.

~~(f)~~ **(g)** The models described in this subsection must be developed in accordance with the following:

- (1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.
- (2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.
- (3) For grades 9 through ~~10~~; **12**, career exploration models that offer students insight into future employment options **and**

~~(4)~~ **For grades 11 through 12**, career preparation models that provide job or further education counseling, including the following:

- (A) Initial job counseling, including the use of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.
- (B) Workplace orientation visits.
- (C) On-the-job experience exercises.

~~(g)~~ **(h)** The department, with assistance from the department of labor and the department of workforce development, shall:

- (1) develop and make available teacher guides; and
- (2) conduct seminars or other teacher education activities; to assist teachers in providing the instruction described in this section.

~~(h)~~ **(i)** The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9.

~~(i)~~ Beginning July 1, 2017, the department, in consultation with the department of workforce development, shall implement a pilot program for instruction in and use of the Indiana career explorer program and standards by all students in grade 8 attending schools in fifteen (15) schools. The department shall select the following to participate in the pilot program:

- ~~(1)~~ Five (5) urban schools;
- ~~(2)~~ Five (5) rural schools;
- ~~(3)~~ Five (5) suburban schools;

The pilot program expires July 1, 2018; unless the department determines that the pilot program should be continued for an additional year. If the department determines that the pilot program should be extended, the department, in consultation with the department of workforce development, shall increase the number of schools involved in the pilot program by at least fifteen (15) additional schools in the second year of the pilot program; if possible based on the interest from schools. The pilot program expires July 1, 2019:

~~(j)~~ Beginning July 1 in the year in which the pilot program described in subsection ~~(i)~~ expires, Each school in a school corporation and each charter school shall include in the school's curriculum state developed career standards for all students in grade 8 that include instruction in and use of either:

- (1) the Indiana career explorer program and standards; or
- (2) an alternative Internet based system and standards that provide students with career and college planning resources that have been approved by the state board under subsection ~~(k)~~: **(l)**.

This subsection expires June 30, 2021.

(k) Beginning July 1, 2021, each school in a school corporation and each charter school:

- (1) shall include in the school's curriculum state developed career standards for all students in grade 8; and**
- (2) except as required by subdivision (1), may include in the school's curriculum state developed career standards for all students in any grade level;**

that include instruction in and use of the Indiana career explorer program.

~~(k)~~ **(l)** A school corporation or charter school may submit a request to the state board to approve an alternative Internet based system and standards that provide students with career and college planning resources. The state board, in consultation with the department and the department of workforce development, may approve an alternative system and standards if the state board determines that the alternative system:

- (1) has an aptitude assessment tool;
- (2) contains educational course track information;
- (3) has a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component;
- (4) allows access to education and career demand information using data prepared by the department of workforce development; and
- (5) is aligned to interdisciplinary employability skills standards prescribed in subsection ~~(e)~~: **(d)**.

This subsection expires June 30, 2021.

(m) Beginning July 1, 2021, the department of workforce

development shall implement an Indiana career explorer program that includes software or an Internet based system that does the following:

- (1) Provides access to education and career demand information using data prepared by the department of workforce development.
- (2) Provides educational and career assessments or tools that:
 - (A) must include an aptitude and career assessment;
 - (B) is aligned to interdisciplinary employability skills standards prescribed in subsection (d); and
 - (C) may include the following:
 - (i) educational course track information; and
 - (ii) a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component.

SECTION 4. IC 20-30-5-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14.5. (a) Not later than December 31, 2020, the department of workforce development shall issue a request for proposals in accordance with IC 5-22-9 for the purpose of entering a public-private partnership for the provision of educational and career assessments or tools described in section 14(m)(2) of this chapter.

(b) The department of workforce development shall complete the request for proposals process and implement the Indiana career explorer program described in section 14(m) of this chapter not later than July 1, 2021.

(c) The department of workforce development may adopt rules under IC 4-22-2 to implement this section and section 14(m) of this chapter.

(d) This section expires July 1, 2022.

SECTION 5. IC 20-30-5-23, AS ADDED BY P.L.132-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) After June 30, 2021, each public high school, including each charter school, shall offer at least one (1) computer science course as a one (1) semester elective in the public high school's curriculum at least once each school year for high school students.

(b) After June 30, 2021, each public school, including each charter school, shall include computer science in the public school's curriculum for students in kindergarten through grade 12. A public high school fulfills the requirements under this subsection by meeting the requirements under subsection (a).

(c) If a public school fails to comply with this section, the department shall assist the public school in meeting the requirements under this section.

(d) The department shall:

- (1) prepare an annual report concerning the implementation of computer science courses in public high schools, including charter schools, that includes the information described in subsection (e); and
- (2) submit and present orally, before December 1 of each year, the report to the following:
 - (A) The state board.
 - (B) The general assembly.
 - (C) The commission for higher education.

The department shall submit the written report to the general assembly in an electronic format under IC 5-14-6.

(e) The report under subsection (d) must include the following information:

- (1) The total number of computer science courses offered in each public high school, including each charter school, and by each course title approved by the department.
- (2) The number and percentage of students enrolled in a computer science course disaggregated by:
 - (A) race;
 - (B) gender;
 - (C) grade;
 - (D) ethnicity;
 - (E) limited English language proficiency;
 - (F) free or reduced price lunch status; and
 - (G) eligibility for special education.
- (3) The number of computer science instructors at each school disaggregated by:
 - (A) gender;
 - (B) certification, if applicable; and
 - (C) academic degree.
- (4) Any other pertinent matters.

(f) The department shall post the report described in subsections (d) and (e) on the department's Internet web site.

SECTION 6. IC 20-31-5-4, AS AMENDED BY P.L.143-2019, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A plan must:

- (1) state objectives for a three (3) year period; and
- (2) be annually reviewed and revised to accomplish the achievement objectives of the school.
- (b) A plan must establish objectives for the school to achieve.
- (c) A plan must address the learning needs of all students, including programs and services for exceptional learners.
- (d) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.
- (e) A plan must note specific areas where improvement is needed immediately.

(f) ~~On or before November 1 of the year in which the pilot program described in IC 20-30-5-14(i) expires;~~ Each school in a school corporation and each charter school shall include in the plan a summary of how the school will implement the curriculum described in ~~IC 20-30-5-14(f);~~ **IC 20-30-5-14(g)**, including the proposed student activities. A school may subsequently amend the school's plan under this subsection in a manner prescribed by the department. The department shall review the submitted plans under this subsection every two (2) years and may review a plan at random to review the relevancy of the plan to the changing economy. The department shall assist schools in incorporating best practices from around the state.

(g) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the immediately preceding school year to implement the curriculum described in ~~IC 20-30-5-14(f);~~ **IC 20-30-5-14(g)**, including the proposed student activities, and submit a report of these costs by

school corporation to the general assembly in an electronic format under IC 5-14-6.

SECTION 7. IC 22-4.1-25-2, AS ADDED BY P.L.57-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The department shall establish and maintain a work ethic certificate program to:

- (1) connect employers to local school corporations and schools to create a collaborative partnership that benefits the community;
- (2) provide high school students with an understanding of necessary employability skills for in-demand jobs and allow students an opportunity to demonstrate their understanding of the employability skills while in high school; and
- (3) provide employers with potential employees who understand the values and importance of responsibility and perseverance in the workplace.

(b) The department shall develop the program in consultation with employers, community based programs, and postsecondary educational institutions. The department shall develop application guidelines for the program.

(c) A school corporation, school, consortium of school corporations or schools, or a local workforce development board serving schools may apply to participate in the program at a time and in a manner prescribed by the department.

(d) The department shall align the program to interdisciplinary employability skills standards prescribed in ~~IC 20-30-5-14(c)~~. **IC 20-30-5-14(d).**

SECTION 8. **An emergency is declared for this act."**

Delete pages 2 through 4.

Renumber all SECTIONS consecutively.

(Reference is to SB 295 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 299, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, delete lines 41 through 42, begin a new line double block indented and insert:

"(J) On a form developed by the state department:

- (i) that a pregnant woman, after an abortion induced by an abortion inducing drug, will expel an aborted fetus; and**
- (ii) the disposition policy of the health care provider or the abortion clinic concerning the disposition of the aborted fetus. The disposition policy must allow the pregnant woman to return the aborted fetus to the health care provider or abortion clinic for disposition by interment or cremation."**

Page 4, delete lines 1 through 7.

Page 6, line 12, delete "or, in the" and insert **"and in abortion induced by an abortion inducing drug, whether the pregnant woman will return the aborted fetus to the health care provider or abortion clinic for disposition by interment or cremation."**

Page 6, delete lines 13 through 16.

Page 6, delete lines 24 through 27, begin a new paragraph and insert:

"(e) In the case of an abortion induced by an abortion inducing drug, the pregnant woman may return the aborted fetus to the health care provider or abortion clinic for disposition by interment or cremation."

Page 7, line 16, delete "chemical." and insert **"induced by an abortion inducing drug."**

Page 7, line 19, delete "a chemical abortion:" and insert **"an abortion induced by an abortion inducing drug:"**.

Page 7, line 20, delete "bury" and insert **"inter"**.

Page 7, line 22, after "abortion" insert **"clinic"**.

Page 7, line 23, delete "where" and insert **"if"**.

Page 7, line 38, delete "it" and insert **"the abortion clinic or the health care facility"**.

(Reference is to SB 299 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 311, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 319, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 2, after line 19, begin a new paragraph and insert:

"(c) This section may not be construed to limit the types of professional development that qualify for professional growth experience points.

SECTION 2. **An emergency is declared for this act."**

(Reference is to SB 319 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 320, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 18, delete "The" and insert **"Except as provided in section 8.7 of this chapter, the"**.

Page 2, line 33, delete "." and insert **", including a request for the employer's designated contact person's name and electronic mail address."**.

Page 2, line 36, delete "2020," and insert **"2021,"**.

Page 2, line 41, delete "2020." and insert **"2021."**.

Page 2, line 42, delete "2020," and insert **"2021,"**.

Page 3, line 23, delete "2020," and insert **"2021,"**.

Page 3, delete lines 24 through 28, begin a new line block indented and insert:

"(4) Beginning after December 31, 2020, the department shall automatically withdraw from an employer's designated business account only the amount of tax withholdings under section 8 of this chapter that are reported as due and owing on the taxpayer's Form WH-1 withholding tax report as authorized in this subsection. The tax withholdings withdrawn by the department from an employer's business account are for the purpose of compliance with this chapter."

Page 3, line 29, delete "2020," and insert **"2021,"**.

Page 4, line 13, after "IRS Rev. Proc. 2012-32, 2012-35 I.R.B. 1." insert **"The term does not include a certified professional employer organization as defined in Section 7705(a) of the Internal Revenue Code."**

Page 4, line 14, delete "2020:" and insert **"2021:"**.

Page 4, line 15, delete "The" and insert **"Except as provided in section 8.7 of this chapter, the"**.

Page 4, line 23, delete "The" and insert **"Except as provided in section 8.7 of this chapter, the"**.

Page 4, line 29, delete "September 1, 2020," and insert **"October 15, 2021,"**.

Page 4, line 35, delete "The" and insert **"Except as provided in section 8.7 of this chapter, the"**.

Page 4, line 38, delete "2020." and insert **"2021."**.

Page 4, line 39, delete "The" and insert **"Except as provided in section 8.7 of this chapter, the"**.

Page 5, line 3, delete "2020." and insert **"2021."**.

Page 5, line 5, after "to" insert **"process payroll,"**.

Page 5, line 7, after "actions" insert **"or other contracted services"**.

Page 5, between lines 13 and 14, begin a new line block indented and insert:

"(4) The third party withholding agent that receives notification from the department is required to notify its business clients of the contents of the notification."

Page 5, line 14, delete "A" and insert **"Except for large employers that have provided the department with a waiver as provided in section 8.7 of this chapter, a"**.

Page 5, line 16, delete "2020," and insert **"2021,"**.

Page 5, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 6-3-4-8.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.7. (a) As used in this section, "large employer" means:

(1) an employer that is a semi-weekly depositor as defined by 26 CFR 31.6302-1; or

(2) an employer that has an Indiana location and at least one (1) location outside of Indiana.

(b) Notwithstanding section 8.6 of this chapter, a large employer may use a third party withholding agent to submit the large employer's withholding tax under section 8 of this chapter on behalf of a large employer if the large employer submits a waiver to the department. The waiver must be on a form prescribed by the department. The large employer must state as part of the waiver that, if the third party withholding agent fails to remit withholding taxes that are due, the large employer is responsible and liable for the taxes and, if applicable, penalties and interest. A large employer's use of a third party withholding agent does not relieve the large employer of its duty to ensure that all withholding taxes due are properly remitted to the department.

(c) For a large employer under subsection (a)(1), the remittance schedule for the third party withholding agent to the department is as follows:

(1) For the employees of a large employer paid on either Wednesday, Thursday, or Friday, the withholding taxes collected must be remitted to the department not later than the following Wednesday.

(2) For the employees of a large employer paid on either Saturday, Sunday, Monday, or Tuesday, the withholding taxes collected must be remitted to the department not later than the following Friday.

(d) The department may establish procedures, prepare forms, and adopt rules and regulations necessary for the administration of this section."

Renumber all SECTIONS consecutively.

(Reference is to SB 320 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 324, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 327, has

had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "that:" and insert "**that**".

Page 1, delete line 5.

Page 1, line 6, delete "(2)".

Page 1, run in lines 3 through 6.

Page 1, delete lines 7 through 9, begin a new paragraph and insert:

"(b) This section does not apply to the following:

(1) A church or religious society that is not regularly engaged in any activity described in section 201(1) of this chapter.

(2) A depository institution (as defined in IC 24-4.5-1-301.5(12)).

(3) A licensee (as defined in IC 24-4.4-1-301(17))."

Page 1, line 10, after "report to" delete "a".

Page 1, line 11, delete "private consumer credit reporting service identified by".

Page 1, line 12, delete "under IC 24-4.5-7-404 the following information for".

Page 1, delete lines 13 through 15 and insert "**the following information in connection with any consumer loan to a debtor who is a resident of Indiana, regardless of where the loan is made, on which the person directly collects payments from or enforces rights against the debtor after June 30, 2020:**".

Page 2, delete lines 2 through 3.

Renumber all SECTIONS consecutively.

(Reference is to SB 327 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 335, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 1, after "sentencing)", insert "**IC 9-30-15.5 (habitual vehicular substance offender)**".

Page 2, line 10, delete "seven (7)" and insert "**fifteen (15)**".

Page 2, line 15, after "parole" insert "**(whichever occurs later)**".

Page 2, line 21, delete "seven (7)" and insert "**fifteen (15)**".

Page 2, line 26, after "parole" insert "**(whichever occurs later)**".

Page 2, between lines 38 and 39, begin a new line block indented and insert:

"(7) Dealing in cocaine or a narcotic drug (IC 35-48-4-1).

(8) Dealing in methamphetamine (IC 35-48-4-1.1).

(9) Manufacturing methamphetamine (IC 35-48-4-1.2).

(10) Dealing in a Schedule I, II, or III controlled substance (IC 35-48-4-2)."

Page 9, delete lines 29 through 42.

Delete pages 10 through 11.

Page 12, delete line 1.

Page 12, delete lines 14 through 42.

Delete pages 13 through 18.

Page 19, delete lines 1 through 26.

Page 31, delete lines 13 through 28.

Page 41, delete lines 30 through 42.

Delete pages 42 through 43.

Page 44, delete lines 1 through 12.

Page 88, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 66. IC 35-33-8-7, AS AMENDED BY P.L.187-2017, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) If a defendant:

(1) was admitted to bail under section 3.2(a)(2) of this chapter; and

(2) has failed to appear before the court as ordered;

the court shall, except as provided in subsection (b) or section ~~8(b)~~ **8(c)** of this chapter, declare the bond forfeited not earlier than one hundred twenty (120) days or more than three hundred sixty-five (365) days after the defendant's failure to appear and issue a warrant for the defendant's arrest.

(b) In a criminal case, if the court having jurisdiction over the criminal case receives written notice of a pending civil action or unsatisfied judgment against the criminal defendant arising out of the same transaction or occurrence forming the basis of the criminal case, funds deposited with the clerk of the court under section 3.2(a)(2) of this chapter may not be declared forfeited by the court, and the court shall order the deposited funds to be held by the clerk. If there is an entry of final judgment in favor of the plaintiff in the civil action, and if the deposit and the bond are subject to forfeiture, the criminal court shall order payment of all or any part of the deposit to the plaintiff in the action, as is necessary to satisfy the judgment. The court shall then order the remainder of the deposit, if any, and the bond forfeited.

(c) Any proceedings concerning the bond, or its forfeiture, judgment, or execution of judgment, shall be held in the court that admitted the defendant to bail.

(d) After a bond has been forfeited under subsection (a) or (b), the clerk shall mail notice of forfeiture to the defendant. In addition, unless the court finds that there was justification for the defendant's failure to appear, the court shall immediately enter judgment, without pleadings and without change of judge or change of venue, against the defendant for the amount of the bail bond, and the clerk shall record the judgment.

(e) If a bond is forfeited and the court has entered a judgment under subsection (d), the clerk shall transfer to the state common school fund:

(1) any amount remaining on deposit with the court (less the fees retained by the clerk); and

(2) any amount collected in satisfaction of the judgment.

(f) The clerk shall return a deposit, less the administrative fee, made under section 3.2(a)(2) of this chapter to the defendant, if the defendant appeared at trial and the other critical stages of the legal proceedings. SECTION 67. IC 35-33-8-8 IS AMENDED

TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) If a defendant was admitted to bail under section 3.2(a) of this chapter and the defendant has knowingly and intentionally failed to appear before the court as ordered, the court:

- (1) shall issue a warrant for the defendant's arrest;
- (2) may not release the defendant on personal recognizance; and
- (3) may not set bail for the rearrest of the defendant on the warrant at an amount that is less than the greater of:
 - (A) the amount of the original bail; or
 - (B) two thousand five hundred dollars (\$2,500);
 in the form of a bond issued by an entity defined in IC 27-10-1-7 or the full amount of the bond in cash.

(b) If a defendant charged with a crime of violence (as defined in IC 35-50-1-2) was admitted to bail under section 3.2(a) of this chapter and, while awaiting trial on this offense, was subsequently rearrested for a new offense that is a Level 5 felony or greater, the court:

- (1) may not release the defendant on personal recognizance; and**
- (2) may not set bail for the new offense at an amount that is less than the greater of:**
 - (A) the amount of the original bail; or**
 - (B) two thousand five hundred dollars (\$2,500);****in the form of a bond issued by an entity defined in IC 27-10-1-7 or the full amount of the bond in cash.**

~~(b)~~ (c) In a criminal case, if the court having jurisdiction over the criminal case receives written notice of a pending civil action or unsatisfied judgment against the criminal defendant arising out of the same transaction or occurrence forming the basis of the criminal case, funds deposited with the clerk of the court under section 3.2(a)(2) of this chapter may not be declared forfeited by the court, and the court shall order the deposited funds to be held by the clerk. If there is an entry of final judgment in favor of the plaintiff in the civil action, and if the deposit is subject to forfeiture, the criminal court shall order payment of all or any part of the deposit to the plaintiff in the action, as is necessary to satisfy the judgment. The court shall then order the remainder of the deposit, if any, forfeited."

Page 107, line 25, reset in roman "IC 9-30-4-6.1(b)(3)".

Page 107, line 25, delete "IC 9-30-4-6.1(a)".

Page 107, line 26, reset in roman "IC 9-30-4-6.1(d)(1)".

Page 107, line 26, delete "IC 9-30-4-6.1(c)(1)".

Page 107, line 26, reset in roman "IC 9-30-4-6.1(d)(2)".

Page 107, line 27, delete "IC 9-30-4-6.1(c)(2)".

Page 108, delete lines 11 through 26.

Page 111, delete lines 13 through 42.

Delete page 112.

Page 113, delete lines 1 through 20, begin a new paragraph and insert:

"SECTION 83. IC 35-47-2-18, AS AMENDED BY P.L.158-2013, SECTION 582, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) No person shall:

- ~~(1) change, alter, remove, or obliterate the name of the maker, model, manufacturer's serial number, or other mark of identification on any handgun; or~~
- ~~(2) possess any handgun on which the name of the maker,~~

~~model, manufacturer's serial number, or other mark of identification has been changed, altered, removed, or obliterated;~~

~~except as provided by applicable United States statute.~~

(1) remove, obliterate, or alter the importer or manufacturer's serial number on any firearm; or

(2) possess any firearm on which the importer or manufacturer's serial number has been removed, obliterated, or altered.

(b) A person who knowingly or intentionally violates this section commits a Level 5 felony."

Page 117, line 3, after "from" insert "**a licensed producer in**".

Page 117, line 4, delete "into another" and insert "**to a licensed handler in any**".

Page 118, line 19, delete "(IC 35-44.1-3-1)" and insert "(IC 35-44.1-3-1)".

Page 118, delete lines 20 through 21.

Page 118, line 22, after "(19)" insert "**(20)**".

Page 118, line 22, reset in roman "Unlawful possession of a firearm by a serious violent felon".

Page 118, reset in roman line 23.

Page 118, line 24, delete "(20)" and insert "**(21)**".

Page 127, delete lines 36 through 42.

Page 128, delete lines 1 through 2.

Renumber all SECTIONS consecutively.

(Reference is to SB 335 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 4, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 337, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 27 through 42.

Delete page 3.

Page 4, delete lines 1 through 14.

Page 4, delete lines 33 through 42, begin a new line block indented and insert:

"(8) A disclosure of the components of the total charity care deduction taken by a nonprofit hospital in determining net patient revenue under subdivision (7), including:

- (A) if the deduction is disclosed and written off using an amount other than the Medicare reimbursement rate, the amount of the patient charity care write off using the Medicare reimbursement rate provided by the office of Medicaid policy and planning; and**
- (B) the amounts and descriptions of any charity care write offs for non-patient services that are included in the total charity care deduction."**

Page 5, delete lines 1 through 13.

Page 7, line 5, delete "seven hundred thirty (730) days" and

insert **"twenty-four months (24)".**

Page 7, delete lines 8 through 11, begin a new line block indented and insert:

"(2) The covenant not to compete must allow the physician:

(A) access to a list of the patients, with their corresponding contact information, whom the physician saw or treated not more than two (2) years before the termination of the physician's contract of employment; and

(B) to contact any of the patients in the list described in clause (A) to inform them of the physician's updated contact information."

Page 7, line 12, after "physician" insert **"prompt".**

Page 7, line 20, after "patients" insert **"and their corresponding contact information".**

Page 7, line 41, delete "with an acute illness" and insert **", in any location,".**

Page 8, delete lines 9 through 42.

Delete page 9.

Page 10, delete lines 1 through 10.

Page 11, delete lines 15 through 42.

Delete page 12.

Page 13, delete lines 1 through 13.

Page 13, line 22, delete "manufacturer." and insert **"manufacturer and any other revenue and fees derived by the pharmacy benefit manager from the contract. A contract may not contain provisions that impose unreasonable fees or conditions that would severely restrict a party's right to conduct an audit under this subsection."**

Page 14, delete lines 22 through 42.

Delete pages 15 through 20.

Page 21, delete lines 1 through 19.

Page 21, delete lines 32 through 36, begin a new paragraph and insert:

"(b) A short term insurance plan insurer shall provide to the commissioner any marketing materials concerning the offering or sale of a guaranteed renewable option for the short term insurance plans described in subsection (a) before the marketing materials are used."

Page 21, line 38, delete "the department of" and insert **"the worker's compensation board".**

Page 21, line 39, delete "workforce development".

Page 24, line 40, delete "2020," and insert **"2021,".**

Renumber all SECTIONS consecutively.

(Reference is to SB 337 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill 343, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 346, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 20-19-2-23 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) As used in this section, "committee" means the Indiana technical advisory committee established by subsection (b).

(b) The Indiana technical advisory committee is established.

(c) Subject to subsection (d), the committee consists of six (6) members appointed as follows:

(1) One (1) member who is appointed by the governor.

(2) One (1) member who is appointed by the president pro tempore of the senate.

(3) One (1) member who is appointed by the minority leader of the senate.

(4) One (1) member who is appointed by the speaker of the house of representatives.

(5) One (1) member who is appointed by the minority leader of the house of representatives.

(6) One (1) member who is appointed by the state board.

(d) To be appointed under subsection (c), an individual must have a diverse skill set, significant experience, and nationally recognized expertise regarding assessments, including one (1) or more of the following areas of expertise:

(1) Operational large scale assessment.

(2) Scaling and equating.

(3) Test design and form construction.

(4) Data forensics.

(5) Special populations, including English language learners and students with disabilities.

(6) Standard setting.

(7) Federal accountability requirements.

(8) Student growth models.

(9) State education policy.

(10) Interim testing and formative assessments.

(11) Learning and instructional practices.

(12) Diagnostic models.

(13) Expertise in testing accommodations for students with disabilities.

At least one (1) member of the committee must have the expertise listed in subdivision (13).

(e) To serve as a member of the committee, an individual appointed under subsection (c) must enter into an agreement

with the state board regarding the following:

(1) The duties of the individual as described under subsection (f) and any other duties established by the state board.

(2) The individual's compensation under the agreement.

An agreement entered into under this subsection must be for one (1) year from the date the member is appointed to the committee.

(f) The term of a member of the committee is one (1) year from the date that the member is appointed. If:

(1) a vacancy occurs on the committee; or

(2) an individual appointed under subsection (c) fails to enter into an agreement with the state board under subsection (e);

the appointing authority that appointed the member whose position is vacant or an individual who failed to enter into an agreement shall appoint another individual to fill the vacancy.

(g) The committee shall:

(1) advise the state board and department regarding matters related to:

(A) psychometrics;

(B) best testing practices;

(C) compliance with federal laws and regulations concerning testing accommodations for students with disabilities; and

(D) other issues involving standardized assessments; and

(2) prepare and submit reports to the state board upon request by the state board.

(h) If the state board requests that the committee prepare and submit a report, a member of the committee may submit:

(1) an individual report; or

(2) a joint report with other members.

A member of the committee may submit a report dissenting with a member or members of the committee who have filed a report.

(i) The committee shall meet upon request by the state board but not more than four (4) times each year.

(j) The state board shall provide administrative support to the committee."

Page 1, line 14, strike "or".

Page 1, line 16, delete "7-49." and insert "7-49; or

(4) plan developed under Section 504 of the federal Rehabilitation Act, 29 U.S.C. 794."

Renumber all SECTIONS consecutively.

(Reference is to SB 346 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 353, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass

and be reassigned to the Senate Committee on Appropriations. Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 363, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning civil procedure.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

(b) The legislative council is urged to assign to the appropriate interim study committee during the 2020 legislative interim the topic of liability and insurance coverage for nongovernmental entities that serve at-risk youth. The interim study committee shall consider the following topics:

(1) Insurance rates and coverage for those entities that provide services to at-risk youth.

(2) Stabilizing the insurance market for those entities that provide services to at-risk youth.

(3) Other options for those entities that provide services to at-risk youth, including:

(A) possible immunity protections under the law;

(B) inclusion under the Indiana Tort Claims Act; and

(C) the creation of a statewide insurance mechanism for those entities that provide services to at-risk youth.

(c) If the topics described in subsection (b) are assigned to an interim study committee, the interim study committee shall issue a final report to the legislative council containing the interim study committee's findings and recommendations, including any recommended legislation, in an electronic format under IC 5-14-6, not later than November 1, 2020.

(d) This SECTION expires December 31, 2020.

SECTION 2. An emergency is declared for this act."

Delete page 2.

Renumber all SECTIONS consecutively.

(Reference is to SB 363 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 364, has had the

same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 20 through 29, begin a new paragraph and insert:

"(f) As used in this subsection, "regulation affecting businesses" means any of the following:

- (1) Creation of a specific private civil cause of action to remedy consumer harm.
- (2) Classification of an act or practice as a deceptive act that is actionable under IC 8-1-29.
- (3) Imposition of a requirement for submission of information to a state or local government regarding a specific good or service.
- (4) Imposition of a requirement for professional certification, licensing, or registration.
- (5) Imposition of a requirement for government inspection.
- (6) Imposition of a bonding requirement for a specific commercial activity.
- (7) Imposition of a requirement for maintenance of insurance coverage.

As part of the statement of fiscal impact prepared for a bill during a regular session of the general assembly, the legislative services agency shall indicate, in a form approved by the legislative council, whether the bill includes any regulation affecting businesses."

Page 3, line 2, after "with" insert "the Indiana economic development corporation,".

Page 3, line 3, after "budget" insert ",".

Page 3, line 16, delete "oversight," and insert "oversight and sunset review framework,".

Page 3, line 21, delete "(c)(3)," and insert "(d)(3),".

Page 3, line 21, delete "shall" and insert "may".

Page 4, delete lines 29 through 39, begin a new paragraph and insert:

"(b) Not later than November 1, 2020, the Indiana department of education, in coordination with the commission for higher education, shall submit to the legislative council and the interim committee on commerce and economic development established by IC 2-5-1.3-4:

- (1) a report concerning the portability and reciprocity of Indiana licenses relative to other states; and
- (2) an executive summary, and any recommendations, concerning portability and reciprocity of Indiana licenses relative to other states.

The report and the executive summary must be submitted in an electronic format under IC 5-14-6.

(c) During the 2020 and 2021 legislative interims, the Indiana professional licensing agency shall:

- (1) identify bills enacted in the immediately preceding legislative session that affect the portability and reciprocity of Indiana licenses relative to other states; and
- (2) issue to:
 - (A) the legislative council; and
 - (B) the interim committee on commerce and economic development established by IC 2-5-1.3-4;

a report concerning the effect of the bills on the portability and reciprocity of Indiana licenses relative to other states. The report concerning bills enacted in the 2020 legislative session must be issued not later than November 1, 2020, and the report concerning bills enacted in the 2021 legislative session must be issued not later than November 1, 2021. Each report must be submitted in an electronic format under IC 5-14-6."

Page 4, line 40, delete "(c)" and insert "(d)".

Page 4, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE UPON PASSAGE] (a) During the 2020 and 2021 legislative interims, the Indiana state board of education, in consultation with the department of education, shall submit an executive summary report to the legislative council, to each member of the senate and house of representatives standing education committees, and to each member of the senate commerce and technology committee. The executive summary report must include the following:

- (1) All guidance issued by the Indiana state board of education and the department of education in the twelve (12) months preceding the date of the report.
- (2) All administrative rules proposed, adopted, amended, or repealed by the Indiana state board of education or the department of education in the twelve (12) months preceding the date of the report.
- (3) All executive orders or directives relevant to kindergarten through grade 12 education in Indiana in the twelve (12) months preceding the date of the report.

The report submitted during the 2020 legislative interim must be submitted not later than November 1, 2020, and the report submitted during the 2021 legislative interim must be submitted not later than November 1, 2021. Each report must be submitted in an electronic format under IC 5-14-6.

(b) This SECTION expires June 30, 2022.

SECTION 6. [EFFECTIVE UPON PASSAGE] (a) During the 2020 and 2021 legislative interims, the commission for higher education, in collaboration with the governor's workforce cabinet and the department of workforce development, shall submit an executive summary report to the legislative council, to each member of the senate and house of representatives standing education committees, and to each member of the senate commerce and technology committee. The executive summary report must include the following:

- (1) All administrative rules proposed, adopted, amended, or repealed by the governor's workforce cabinet, the commission for higher education, and the department of workforce development in the twelve (12) months preceding the date of the report.
- (2) All guidance issued by the governor's workforce cabinet, the commission for higher education, and the department of workforce development in the twelve (12) months preceding the date of the report.
- (3) All executive orders or directives relevant to postsecondary education in Indiana in the twelve (12) months preceding the date of the report.

The report submitted during the 2020 legislative interim

must be submitted not later than November 1, 2020, and the report submitted during the 2021 legislative interim must be submitted not later than November 1, 2021. Each report must be submitted in an electronic format under IC 5-14-6.

(b) This SECTION expires June 30, 2022.

SECTION 7. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee for the 2020 legislative interim the task of studying relocation and talent incentives for Indiana. An interim study committee assigned to study this subject shall consider the following:

(1) Comparative analysis of:

(A) other state and local relocation and talent incentive programs; and

(B) demonstrable returns on investment of those state and local programs.

(2) The following with respect to implementing an Indiana relocation and talent incentive program:

(A) State, local, and private investment and coordination.

(B) Recipient eligibility.

(C) Economic and labor market data to determine the extent of local discretion in the administration of the program based on local workforce needs.

(D) The likely participation rate by Indiana companies and the anticipated investment by the business sector to match or exceed investment of public funds.

(E) Marketing strategies and funding to promote relocation and talent incentives to targeted populations.

(F) Potential budget appropriation for purposes of administering the program and matching local and private investment.

(b) This SECTION expires December 31, 2020."

Renumber all SECTIONS consecutively.

(Reference is to SB 364 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 383, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "the president of".

Page 1, line 5, delete "institution, or the president's designee, shall" and insert "**institution shall annually prepare and submit a report to the state budget committee**".

Page 1, delete lines 6 through 11.

Page 1, line 12, delete "information and answer questions".

Page 1, line 15, delete "If the state educational" and insert "**The state budget committee shall review the report.**".

Page 1, delete lines 16 through 17.

Delete page 2.

(Reference is to SB 383 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 395, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15.

Page 2, delete lines 1 through 4.

Page 3, delete lines 12 through 42, begin a new paragraph and insert:

"SECTION 3. IC 24-4.5-2-201, AS AMENDED BY P.L.91-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 201. Credit Service Charge for Consumer Credit Sales ~~other than Revolving Charge Accounts~~ — (1) **Except as provided in subsections (8) and (11),** with respect to a consumer credit sale, ~~other than a sale pursuant to a revolving charge account,~~ a seller may contract for and receive a credit service charge not exceeding that permitted by this section.

(2) The credit service charge, calculated according to the actuarial method, may not exceed the equivalent of the greater of:

(a) the total of:

(i) thirty-six percent (36%) per year on that part of the unpaid balances of the amount financed (**as defined in section 111 of this chapter**) which is two thousand dollars (\$2,000) or less;

(ii) twenty-one percent (21%) per year on that part of the unpaid balances of the amount financed (**as defined in section 111 of this chapter**) which is more than two thousand dollars (\$2,000) but does not exceed four thousand dollars (\$4,000); and

(iii) fifteen percent (15%) per year on that part of the unpaid balances of the amount financed (**as defined in section 111 of this chapter**) which is more than four thousand dollars (\$4,000); or

(b) twenty-five percent (25%) per year on the unpaid balances of the amount financed (**as defined in section 111 of this chapter**).

(3) **In the case of a sale agreement entered into before July 1, 2020,** this section does not limit or restrict the manner of contracting for the credit service charge, whether by way of add-on, discount, or otherwise, so long as the rate of the credit service charge does not exceed that permitted by this section. If the sale is precomputed:

(a) the credit service charge may be calculated on the assumption that all scheduled payments will be made when due; and

(b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

(4) **The following apply to a sale agreement for a consumer**

credit sale (or for the refinancing or consolidation of a consumer credit sale) that is entered into after June 30, 2020:

(a) The credit service charge authorized by this section must be:

- (i) contracted for between the seller and the debtor; and
- (ii) calculated by applying a rate not exceeding the rate set forth in subsection (2) to unpaid balances of the amount financed (as defined in section 111 of this chapter).

(b) A sale agreement for a precomputed consumer credit sale is prohibited.

(c) Subject to subsection (13), in addition to the credit service charge authorized by subsection (2), and not subject to the rate set forth in subsection (2), the seller may contract for and receive as a condition for, or an incident to, the extension of credit only the authorized nonrefundable fee under subsection (11), whether the fee is:

- (i) paid separately in cash or by check before or at consummation; or
- (ii) withheld from the proceeds of the consumer credit sale.

~~(4)~~ (5) For the purposes of this section, the term of a sale agreement commences with the date the credit is granted or, if goods are delivered or services performed more than thirty (30) days after that date, with the date of commencement of delivery or performance except as set forth below:

- (a) Delays attributable to the customer. Where the customer requests delivery after the thirty (30) day period or where delivery occurs after the thirty (30) day period for a reason attributable to the customer (including but not limited to failure to close on a residence or failure to obtain lease approval), the term of the sale agreement shall commence with the date credit is granted.
- (b) Partial Deliveries. Where any portion of the order has been delivered within the thirty (30) day period, the term of the sale agreement shall commence with the date credit is granted.

Differences in the lengths of months are disregarded and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the seller may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and that procedure is not consistently used to obtain a greater yield than would otherwise be permitted.

(6) With respect to a consumer credit sale made pursuant to a revolving charge account, the parties to the sale may contract for the payment by the buyer of a credit service charge not exceeding that permitted in this section, subject to the following:

(a) The credit service charge contracted for and received may not exceed a charge in each monthly billing cycle which is either two and eighty-three thousandths percent (2.083%) of an amount not greater than:

- (i) the average daily balance of the account;
- (ii) the unpaid balance of the account on the same

day of the billing cycle; or

(iii) subject to subsection (7), the median amount within a specified range within which the average daily balance of the account or the unpaid balance of the account, on the same day of the billing cycle, is included.

For purposes of clauses (ii) and (iii), a variation of not more than four (4) days from month to month is "the same day of the billing cycle".

(b) If the billing cycle is not monthly, the maximum charge is that percentage which bears the same relation to the applicable monthly maximum percentage as the number of days in the billing cycle bears to thirty (30).

(c) Notwithstanding subdivision (a), if there is an unpaid balance on the date as of which the credit service charge is applied, the seller may contract for and receive a charge not exceeding fifty cents (\$0.50) if the billing cycle is monthly or longer, or the pro rata part of fifty cents (\$0.50) which bears the same relation to fifty cents (\$0.50) as the number of days in the billing cycle bears to thirty (30) if the billing cycle is shorter than monthly. However, a seller may not contract for or receive a charge under this subdivision if the seller has made an annual charge for the same period as permitted by the provisions on additional charges in section 202(1)(e) of this chapter.

~~(5)~~ (7) Subject to classifications and differentiations the seller may reasonably establish, the seller may make the same credit service charge on all amounts financed within a specified range. A credit service charge so made does not violate subsection (2) if:

- (a) when applied to the median amount within each range, it does not exceed the maximum permitted by subsection (2); and
- (b) when applied to the lowest amount within each range, it does not produce a rate of credit service charge exceeding the rate calculated according to ~~paragraph~~ **subdivision** (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph~~ **subdivision** (a).

~~(6)~~ (8) Notwithstanding subsection (2), with respect to a consumer sale other than a sale under a revolving charge account, the seller may contract for and receive a minimum credit service charge of not more than thirty dollars (\$30). The minimum credit service charge allowed under this subsection may be imposed only if **the seller does not contract for or receive a nonrefundable fee under subsection (11) and:**

- (a) the debtor prepays in full a consumer credit sale, refinancing, or consolidation, regardless of whether the sale, refinancing, or consolidation is precomputed;
- (b) the sale, refinancing, or consolidation prepaid by the debtor is subject to a credit service charge that:

- (i) is contracted for by the parties; and
- (ii) does not exceed the rate prescribed in subsection (2); and

(c) the credit service charge earned at the time of prepayment is less than the minimum credit service charge contracted for under this subsection.

~~(7)~~ (9) The amounts of two thousand dollars (\$2,000) and four

thousand dollars (\$4,000) in subsection (2) are subject to change pursuant to the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 2012.

~~(8)~~ **(10)** The amount of thirty dollars (\$30) in subsection ~~(6)~~ **(8)** is subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 1992.

(11) This subsection applies to a sale agreement entered into after June 30, 2020. Except as provided in subsection (8), and subject to subsection (13), in addition to the credit service charge authorized by subsection (2), and to any other fees permitted by this chapter, a seller may contract for and receive a nonrefundable fee in an amount which is not more than:

- (a) seventy-five dollars (\$75) for an amount financed (as defined in section 111 of this chapter) which is two thousand dollars (\$2,000) or less;**
- (b) one hundred fifty dollars (\$150) for an amount financed (as defined in section 111 of this chapter) which is more than two thousand dollars (\$2,000) but does not exceed four thousand dollars (\$4,000); and**
- (c) two hundred fifty dollars (\$250) for an amount financed (as defined in section 111 of this chapter) which is more than four thousand dollars (\$4,000).**

The nonrefundable fee is not subject to refund or rebate. However, any fee amount charged by the seller under this subsection that exceeds the amounts permitted by this subsection constitutes a violation of this article under IC 24-4.5-6-107.5(l) and is subject to refund. The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

(12) If the director determines that a seller's accrual method of accounting as applied to a consumer credit sale under this section involves the application of subterfuge for the purpose of circumventing this chapter, the director may conform the credit service charge and fees for the transaction to the limitations set forth in this section and may require a refund of overcharges under IC 24-4.5-6-106(2)(a). A determination by the director under this subsection:

- (a) must be in writing;**
- (b) shall be delivered to all parties in the transaction; and**
- (c) is subject to IC 4-21.5-3.**

(13) At the time of consummation of a consumer credit sale:

- (a) the credit service charge authorized by subsection (2); and**
- (b) the nonrefundable fee authorized by subsection (11), in the case of a sale agreement entered into after June 30, 2020;**

are subject to IC 35-45-7 and, when combined, may not exceed the rate set forth in IC 35-45-7-2."

Delete pages 4 through 8.

Page 9, delete lines 1 through 35.

Page 12, line 19, delete "(IC 24-4.5-2-201(7))." and insert

"(IC 24-4.5-2-201(6))."

Page 12, line 31, delete "201(12)" and insert **"201(11)".**

Page 15, line 6, delete "(IC 24-4.5-2-201(9))" and insert **"(IC 24-4.5-2-201(8))"**.

Page 15, line 30, delete "(IC 24-4.5-2-201(6))" and insert **"(IC 24-4.5-2-201(5))"**.

Page 18, line 22, delete "(IC 24-4.5-2-201(7))" and insert **"(IC 24-4.5-2-201(6))"**.

Page 18, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 12. IC 24-4.5-3-201, AS AMENDED BY P.L.159-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 201. Loan Finance Charge for Consumer Loans other than Supervised Loans—(1) Except as provided in subsections ~~(6)~~ (7) and ~~(8)~~ (9), with respect to a consumer loan, other than a supervised loan (as defined in section 501 of this chapter), a lender may contract for a loan finance charge, calculated according to the actuarial method, not exceeding twenty-five percent (25%) per year on the unpaid balances of the principal (as defined in section 107(3) of this chapter).

(2) In the case of a loan agreement entered into before July 1, 2020, this section does not limit or restrict the manner of contracting for the loan finance charge, whether by way of add-on, discount, or otherwise, so long as the rate of the loan finance charge does not exceed that permitted by this section. If the loan is precomputed:

- (a) the loan finance charge may be calculated on the assumption that all scheduled payments will be made when due; and**
- (b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.**

(3) The following apply to a loan agreement for a consumer loan (or for the refinancing or consolidation of a consumer loan) that is entered into after June 30, 2020:

(a) The consumer loan is subject to this section, including the limitations set forth in:

- (i) subsection (1) with respect to the loan finance charge; and**
- (ii) subsection (9)(b) with respect to the amount of the authorized nonrefundable fee, in the case of a consumer loan that is not secured by an interest in land.**

(b) The loan finance charge authorized by this section must be:

- (i) contracted for between the lender and the debtor; and**
- (ii) calculated by applying a rate not exceeding the rate set forth in subsection (1) to unpaid balances of the principal (as defined in section 107(3) of this chapter).**

(c) A loan agreement for a precomputed consumer loan is prohibited.

(d) Subject to subsection (12), in addition to the loan finance charge authorized by subsection (1), and not subject to the twenty-five percent (25%) rate set forth in subsection (1), the lender may contract for and receive as a condition for, or an incident to, the

extension of credit only the authorized nonrefundable fee under subsection (9), whether the fee is:

(i) paid separately in cash or by check before or at consummation; or

(ii) withheld from the proceeds of the consumer loan.

~~(3)~~ **(4)** For the purposes of this section, the term of a loan commences with the date the loan is made. Differences in the lengths of months are disregarded, and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the lender may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and if that procedure is not consistently used to obtain a greater yield than would otherwise be permitted. For purposes of computing average daily balances, the creditor may elect to treat all months as consisting of thirty (30) days.

~~(4)~~ **(5)** With respect to a consumer loan made pursuant to a revolving loan account:

(a) the loan finance charge shall be deemed not to exceed the maximum annual percentage rate if the loan finance charge contracted for and received does not exceed a charge in each monthly billing cycle which is two and eighty-three thousandths percent (2.083%) of an amount not greater than:

(i) the average daily balance of the debt;

(ii) the unpaid balance of the debt on the same day of the billing cycle; or

(iii) subject to subsection ~~(5)~~; **(6)**, the median amount within a specified range within which the average daily balance or the unpaid balance of the debt, on the same day of the billing cycle, is included; for the purposes of this ~~subparagraph clause~~ and ~~subparagraph clause~~ (ii), a variation of not more than four (4) days from month to month is "the same day of the billing cycle";

(b) if the billing cycle is not monthly, the loan finance charge shall be deemed not to exceed the maximum annual percentage rate if the loan finance charge contracted for and received does not exceed a percentage which bears the same relation to one-twelfth (1/12) the maximum annual percentage rate as the number of days in the billing cycle bears to thirty (30); and

(c) notwithstanding subsection (1), if there is an unpaid balance on the date as of which the loan finance charge is applied, the lender may contract for and receive a charge not exceeding fifty cents (\$0.50) if the billing cycle is monthly or longer, or the pro rata part of fifty cents (\$0.50) which bears the same relation to fifty cents (\$0.50) as the number of days in the billing cycle bears to thirty (30) if the billing cycle is shorter than monthly, but no charge may be made pursuant to this ~~paragraph subdivision~~ if the lender has made an annual charge for the same period as permitted by the provisions on additional charges in section 202(1)(c) of this chapter.

~~(5)~~ **(6)** Subject to classifications and differentiations the lender may reasonably establish, the lender may make the same loan finance charge on all amounts financed within a specified range. A loan finance charge does not violate subsection (1) if:

(a) when applied to the median amount within each range, it does not exceed the maximum permitted by subsection (1); and

(b) when applied to the lowest amount within each range, it does not produce a rate of loan finance charge exceeding the rate calculated according to ~~paragraph subdivision~~ (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph subdivision~~ (a).

~~(6)~~ **(7)** With respect to a consumer loan not made pursuant to a revolving loan account, the lender may contract for and receive a minimum loan finance charge of not more than thirty dollars (\$30). The minimum loan finance charge allowed under this subsection may be imposed only if the lender does not ~~assess contract for or receive a nonrefundable prepaid finance charge fee~~ under subsection ~~(8)~~ **(9)** and:

(a) the debtor prepays in full a consumer loan, refinancing, or consolidation, regardless of whether the loan, refinancing, or consolidation is precomputed;

(b) the loan, refinancing, or consolidation prepaid by the debtor is subject to a loan finance charge that:

(i) is contracted for by the parties; and

(ii) does not exceed the rate prescribed in subsection (1); and

(c) the loan finance charge earned at the time of prepayment is less than the minimum loan finance charge contracted for under this subsection.

~~(7)~~ **(8)** The amount of thirty dollars (\$30) in subsection ~~(6)~~ **(7)** is subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 1992.

~~(8)~~ **(9)** Except as provided in subsection ~~(6)~~; **(7)**, and **subject to subsection (12)**, in addition to the loan finance charge ~~provided for in this section authorized by subsection (1)~~ and to any other charges and fees permitted by this chapter, a lender may contract for and receive a nonrefundable ~~prepaid finance charge fee~~ of not more than the following:

(a) In the case of a consumer loan that is secured by an interest in land and that:

(i) is not made under a revolving loan account, two percent (2%) of the loan amount; or

(ii) is made under a revolving loan account, two percent (2%) of the line of credit.

(b) In the case of consumer loan that is not secured by an interest in land, fifty dollars (\$50) **if the loan agreement is entered into before July 1, 2020. If the loan agreement is entered into after June 30, 2020, not more than the following:**

(i) **Seventy-five dollars (\$75), in the case of a loan agreement for a principal amount which is two thousand dollars (\$2,000) or less.**

(ii) **One hundred fifty dollars (\$150) in the case of a loan agreement for a principal amount which is more than two thousand dollars (\$2,000) but does not exceed four thousand dollars (\$4,000).**

(iii) **Two hundred fifty dollars (\$250) in the case of a loan agreement for a principal amount which is more**

than four thousand dollars (\$4,000).

The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

~~(9)~~ (10) The nonrefundable prepaid finance charge fee provided for in subsection ~~(8)~~ (9) is not subject to refund or rebate. However, for any loan entered into after June 30, 2020, any fee amount charged by the seller under this subsection that exceeds the amounts permitted by subsection (9) constitutes a violation of this article under IC 24-4.5-6-107.5(l) and is subject to refund.

(11) If the director determines that a lender's accrual method of accounting as applied to a consumer loan under this section involves the application of subterfuge for the purpose of circumventing this chapter, the director may conform the loan finance charge and fees for the transaction to the limitations set forth in this section and may require a refund of overcharges under IC 24-4.5-6-106(2)(a). A determination by the director under this subsection:

(a) must be in writing;

(b) shall be delivered to all parties in the transaction; and

(c) is subject to IC 4-21.5-3.

(12) At the time of consummation of a consumer loan:

(a) the loan finance charge authorized by subsection (1); and

(b) the nonrefundable fee authorized by subsection (9); are subject to IC 35-45-7 and, when combined, may not exceed the rate set forth in IC 35-45-7-2.

~~(10)~~ (13) Notwithstanding subsections ~~(8)~~ (9) and ~~(9)~~, (10), in the case of a consumer loan that is not secured by an interest in land, if a lender retains any part of a nonrefundable prepaid finance charge fee charged on a loan that is paid in full by a new loan from the same lender, the following apply:

(a) If the loan is paid in full by the new loan within three (3) months after the date of the prior loan, the lender may not charge a nonrefundable prepaid finance charge fee on the new loan, or, in the case of a revolving loan, on the increased credit line.

(b) The lender may not assess more than two (2) nonrefundable prepaid finance charges fees in any twelve (12) month period.

(c) Subject to subdivisions (a) and (b), if a loan that is entered into by a lender and a debtor before July 1, 2020, is paid in full by a new loan from the same lender after June 30, 2020, the lender may contract for and receive a nonrefundable fee in the amount set forth in subsection (9)(b) for loan agreements entered into after June 30, 2020.

~~(11)~~ (14) In the case of a consumer loan that is secured by an interest in land, this section does not prohibit a lender from contracting for and receiving a fee for preparing deeds, mortgages, reconveyances, and similar documents under section 202(1)(d)(ii) of this chapter, in addition to the nonrefundable prepaid finance charge fee provided for in subsection ~~(8)~~ (9).

Delete pages 19 through 24.

Page 25, delete lines 1 through 17.

Page 33, delete lines 13 through 24.

Page 33, line 28, delete "This section applies only to a loan

agreement entered into".

Page 33, line 29, delete "before July 1, 2020."

Page 36, line 1, delete "201(9)(b)(ii)" and insert "201(9)(b)".

Page 36, line 2, delete "However, a lender may not encourage or".

Page 36, delete lines 3 through 7.

Page 36, line 33, delete "(IC 24-4.5-2-201(7))" and insert "(IC 24-4.5-2-201(6))".

Page 37, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 24. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to the interim study committee on financial institutions and insurance the task of studying the potential effect of breaking up the Uniform Consumer Credit Code codified at IC 24-4.5.

(b) This SECTION expires January 1, 2021."

(Reference is to SB 395 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 398, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, strike lines 18 through 19.

Page 5, delete lines 23 through 42.

Page 6, delete lines 1 through 8, begin a new paragraph and insert:

"SECTION 2. IC 20-26-20 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 20. Patriotic Youth Membership Organizations

Sec. 1. As used in this chapter, "organization" means any youth organization listed in Title 36 of the United States Code that has an educational purpose and promotes patriotism and civic involvement.

Sec. 2. As used in this chapter, "public school" means the following:

(1) A school maintained by a school corporation.

(2) A charter school.

Sec. 3. An organization may request that a public school allow representatives of the organization to provide oral, written, or oral and written information regarding the organization, including information regarding how the organization furthers the educational interests and civic involvement of students consistent with good citizenship and moral instruction provided under IC 20-30-5-6 and IC 20-30-5-5, to students of the public school on school property.

Sec. 4. Upon request by an organization under section 3 of this chapter, a public school shall provide, at least one (1) time each school year, a day and time, which may be during the school day as approved by the public school, for the

representatives of the organization to provide information to students on school property as described in section 3 of this chapter.

Sec. 5. (a) Each public school shall select a date, time, and location on school property that an organization may provide services and activities to students who are members of the organization.

(b) A public school shall make a good faith effort to select a date, time, and location on school property under subsection (a) that is mutually agreeable to the public school and organization.

Sec. 6. (a) A public school shall conduct an expanded criminal history check of a representative of an organization before the representative may:

- (1) provide information to students at a public school as described in section 4 of this chapter; or**
- (2) participate in activities and services on school property as described in section 5 of this chapter.**

The representative may be required to provide a written consent for the public school to conduct the expanded criminal history check. The representative of the organization is responsible for all costs associated with obtaining the expanded criminal history check.

(b) A public school may refuse to allow a representative to provide information or participate in activities and services as described in subsection (a) if the representative has been convicted of a felony listed in IC 20-28-5-8(c) or IC 20-28-5-8(d).

SECTION 3. IC 20-30-5-7, AS AMENDED BY P.L.97-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Each school corporation shall include in the school corporation's curriculum the following studies:

- (1) Language arts, including:
 - (A) English;
 - (B) grammar;
 - (C) composition;
 - (D) speech; and
 - (E) second languages.
- (2) Mathematics.
- (3) Social studies and citizenship, including the:
 - (A) constitutions;
 - (B) governmental systems; and
 - (C) histories;

of Indiana and the United States, including an enhanced study of the Holocaust in each high school United States history course. As part of the United States government credit awarded for the general, Core 40, Core 40 with academic honors, and Core 40 with technical honors designation, each high school shall administer the naturalization examination provided by the United States Citizenship and Immigration Services.

- (4) Sciences, including, after June 30, 2021, computer science.
- (5) Fine arts, including music and art.
- (6) Health education, physical fitness, safety, and the effects of alcohol, tobacco, drugs, and other substances on the human body.

(7) Additional studies selected by each governing body, subject to revision by the state board.

(b) Each:

- (1) school corporation;
- (2) charter school; and
- (3) accredited nonpublic school;

shall offer the study of ethnic and racial groups as a one (1) semester elective course in its high school curriculum at least once every school year.

(c) The course described in subsection (b) may be offered by the school corporation, charter school, or accredited nonpublic school through a course access program administered by the department.

(d) Not later than November 1, 2022, and not later than November 1 each year thereafter, the department shall report to the general assembly in an electronic format under IC 5-14-6 the following:

- (1) The number of students who took the naturalization examination described in subsection (a)(3).**
- (2) The number of students who passed the naturalization examination described in subsection (a)(3) by a score of not less than sixty percent (60%) on their first attempt.**
- (3) The pass rate of the naturalization examination regarding the students who passed as described in subdivision (2).**

(e) Not more than thirty (30) days after the department reports to the general assembly the information under subsection (d), the department shall post the pass rate under subsection (d)(3) on the department's Internet web site.

SECTION 4. IC 20-30-8.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 8.5. High School Equivalency Pilot Program

Sec. 1. This section applies to the following school corporations:

- (1) Richmond Community Schools.**
- (2) Metropolitan School District of Washington Township Schools.**
- (3) Evansville Vanderburgh School Corporation.**
- (4) Metropolitan School District of Warren Township Schools.**

Sec. 2. As used in this chapter, an "eligible student" means a student who has completed less than fifty percent (50%) of the required number of credits necessary to graduate upon entering the student's fourth year of high school or any subsequent semester.

Sec. 3. As used in this chapter, "program" refers to the high school equivalency pilot program established by section 6 of this chapter.

Sec. 4. As used in this chapter, "provider" is a current grantee receiving WIOA Title II money from the department of workforce development and that provides academic instruction and education services at the elementary or high school level that:

- (1) include adult education, literacy activities, workplace adult education and literacy activities, family literacy activities, English language acquisition**

activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training;

(2) transition to postsecondary education and training; and

(3) provide an ability to obtain employment.

Sec. 5. As used in this chapter, "WIOA" refers to the federal Workforce Innovation and Opportunity Act.

Sec. 6. (a) The high school equivalency pilot program is established. The purpose of the program is to allow an eligible student to enroll in a program to earn a high school equivalency diploma that would be recognized as a new form of diploma by a participating high school.

(b) A high school not listed in section 1 of this chapter may participate in the program beginning July 1, 2021, by notifying the adult education section of the department of workforce development in a manner prescribed by the department.

(c) Not more than five percent (5%) of a participating school's cohort may participate in the program at one (1) time.

Sec. 7. An eligible student may participate in the program in lieu of meeting the graduation requirements in IC 20-32-4-1.5.

Sec. 8. In addition to successfully achieving their high school equivalency diploma, an eligible student shall also successfully complete two (2) of the following career and college readiness programs:

(1) A certification class approved by the department or the department of workforce development.

(2) Project based, service based, or work based learning as prescribed by the graduation pathways.

(3) The ASVAB, ACCUPLACER, SAT, or ACT.

(4) EmployIndy Job Ready badges.

Sec. 9. An eligible student who successfully completes the requirements under section 8 of this chapter shall be counted in the school's graduation rate under IC 20-26-13.

Sec. 10. (a) A school corporation may contract with a provider to provide services for the program. However, the program may not receive money from WIOA Title II or state appropriated adult education funding. If contracting with a provider, the school corporation shall ensure the following:

(1) The provider is a WIOA Title II funded organization.

(2) Teachers provided by the provider hold a current teaching license from any state, and teachers of core subjects are highly qualified in the subjects to which they are assigned.

(3) The provider has provided one (1) or more dropout recovery or high school equivalency programs and testing for at least two (2) years prior to providing a program under this section.

(b) All contracts entered into by a school corporation and a provider shall include requirements for the protection of all personally identifiable student information that shall comply with all applicable state and federal laws and regulations.

Sec. 11. (a) If a school corporation decides to participate in the program, the school corporation shall fund the

program from the school corporation's budget or from:

(1) gifts, donations, and bequests;

(2) grants, including federal grants and grants from private entities;

(3) funds from any other source; and

(4) a combination of the resources described in subdivisions (1), (2), and (3).

(b) Not later than sixty (60) days after the identification of the source of the funds, the governing body of a school corporation shall conduct a public hearing at a location within the school corporation to present and discuss the source of the funds. The governing body may conduct the meeting in conjunction with a regular meeting of the governing body.

Sec. 12. If an eligible student enrolled in a school corporation participates in the program, the eligible student may not be a student of an adult education center (as described in IC 22-4.1-20) or adult high school (as defined under IC 20-24-1-2.3).

Sec. 13. Not later than July 1, 2021, and not later than July 1 of each year thereafter, participating school corporations shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the program that includes the following:

(1) The number of students eligible for the program.

(2) The number of students who participated in the program.

(3) The number of credits upon entry to the program.

(4) The number of students who successfully achieved their high school equivalency diploma through the program.

(5) A list of credentials earned upon completion of the program.

(6) Recommendations on improvements to the program.

(7) An estimated cost to each school corporation for the program.

(8) Any other relevant consideration.

Sec. 14. This chapter expires June 30, 2024."

Page 6, line 16, after "administered" insert "high school equivalency".

Page 6, line 17, delete "standards;" and insert "standards that includes subtests of reading, mathematics, science, social studies, and writing;"

Page 6, line 20, after "in-person" insert "and online".

Page 6, line 21, after "national" insert "and Indiana".

Page 6, line 23, delete "two (2) practice tests" and insert "one (1) practice test".

Page 6, delete lines 25 through 26, begin a new line block indented and insert:

"(5) at least two (2) retests for each subtest, free of charge; and".

Page 6, after line 32, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee for study during the 2020 interim the topics of:

(1) whether the state should encourage robotics classes and clubs for students in kindergarten through grade

12; and

(2) if so, what forms that encouragement should take, in any combination of:

(A) one (1) or more programs of grants, competitive prizes, or other funding methods;

(B) additional teacher training;

(C) cooperative arrangements with postsecondary educational institutions; or

(D) other feasible methods.

(b) This SECTION expires January 1, 2021.

SECTION 7. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to SB 398 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 400, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 5, after "use;" insert "**and**".

Page 2, strike lines 6 through 7.

Page 2, line 8, strike "(3)" and insert "**(2)**".

(Reference is to SB 400 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 3.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 401, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 16, strike "thirty-seven thousand four".

Page 2, line 17, strike "hundred forty dollars (\$37,440)." and insert "**sixty-two thousand five hundred twenty-five dollars (\$62,525).**".

Page 2, line 20, strike "forty-nine thousand nine".

Page 2, line 21, strike "hundred twenty dollars (\$49,920)." and insert "**eighty-three thousand four hundred thirteen dollars (\$83,413).**".

Page 2, line 24, strike "eighteen".

Page 2, line 25, strike "thousand seven hundred twenty dollars (\$18,720)" and insert "**thirty-one thousand two hundred sixty-two dollars (\$31,262) per dwelling**".

(Reference is to SB 401 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 403, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, between lines 21 and 22, begin a new paragraph and insert:

"(f) A professional appraiser or professional appraisal firm may represent a taxpayer in a review of an assessment before the county board or the Indiana board only if the taxpayer and the professional appraiser or professional appraisal firm entered into an appraisal agreement prior to the performance of the appraisal that included a provision requiring the professional appraiser or professional appraisal firm to represent the taxpayer in the event of an appeal without any additional cost."

Page 2, line 22, delete "(f)" and insert "**(g)**".

Page 3, line 4, delete "(g)" and insert "**(h)**".

(Reference is to SB 403 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 405, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 406, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, delete lines 41 through 42.

Delete pages 7 through 9.

Renumber all SECTIONS consecutively.

(Reference is to SB 406 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 408, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-23-7.3-14, AS AMENDED BY P.L.3-2008, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. The state GIS officer shall do the following:

- (1) Function as the chief officer for GIS matters for state agencies.
- (2) Review and either veto or adopt both the:
 - (A) state's GIS data standards; and
 - (B) statewide data integration plan;

as recommended by the IGIC. If either of the recommendations is vetoed, the state GIS officer shall return the recommendation to the IGIC with a message announcing the veto and stating the reasons for the veto. If the IGIC ceases to exist or refuses to make the recommendations listed in this subdivision, the state GIS officer may develop and adopt state GIS data standards and a statewide data integration plan. The standards and the plan adopted under this subdivision must promote interoperability and open use of data with various GIS software, applications, computer hardware, and computer operating systems.

- (3) Act as the administrator of:
 - (A) the state standards and policies concerning GIS data and framework data; and
 - (B) the statewide data integration plan.
- (4) Enforce the state GIS data standards and execute the statewide data integration plan adopted under subdivision (2) through the use of:
 - (A) GIS policies developed for state agencies; and
 - (B) data exchange agreements involving an entity other than a state agency.
- (5) Coordinate the state data center's duties under this chapter.
- (6) Act as the state's representative for:
 - (A) requesting grants available for the acquisition or enhancement of GIS resources; and
 - (B) preparing funding proposals for grants to enhance coordination and implementation of GIS.
- (7) Review and approve, in accordance with the statewide data integration plan, the procurement of GIS goods and services involving the state data center or a state agency.
- (8) Cooperate with the United States Board on Geographic Names established by P.L.80-242 by serving as the chair of a committee formed with the IGIC as the state names authority for Indiana.
- (9) Publish a biennial report. The report must include the status and metrics on the progress of the statewide data integration plan.
- (10) Represent the state's interest to federal agencies regarding the National Spatial Data Infrastructure.
- (11) Serve as the state's primary point of contact for communications and discussions with federal agencies regarding framework data, spatial data exchanges, cost leveraging opportunities, spatial data standards, and other GIS related issues.

(12) Facilitate GIS data cooperation between units of the federal, state, and local governments.

(13) Promote the development and maintenance of statewide GIS data and framework data layers associated with a statewide base map.

(14) Approve and maintain data exchange agreements to which the state data center or a state agency is a party to increase the amount and quality of GIS data and framework data available to the state.

(15) Use personnel made available from state educational institutions to provide technical support to the:

- (A) state GIS officer in carrying out the officer's duties under this chapter; and
- (B) IGIC.

(16) Establish, before December 31, 2021, and update, before December 31 of every year thereafter, in coordination with the office of technology and the management performance hub, a GIS that contains a parcel level data base for each county that may be used by the department of state revenue's tax systems to identify each taxing unit within which each taxpayer's residence is located. The state GIS officer shall provide the department of state revenue with any information necessary in order for the department of state revenue to use the GIS codes."

Page 2, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 3. IC 5-1.2-4.5-1, AS ADDED BY P.L.108-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]: Sec. 1. (a) This section applies to:

(1) a public-private agreement to which the authority is a party under IC 8-15.5 and that was originally entered into before January 1, 2013; and

(2) any other agreement to which the authority or the state is a party under any provision of the Indiana Code, other than IC 8-15.5, that would increase revenue as the result of the monetization of a state asset.

(b) If an extension or an amendment to:

(1) a public-private agreement described in subsection (a)(1), which is proposed to be entered into after May 1, 2019; or

(2) an agreement described in subsection (a)(2), which is proposed to be entered into after May 1, 2020;

would require the approval of the authority at a meeting of the authority before taking effect, the authority shall submit the proposed extension or amendment to the ~~public-private~~ agreement to the budget committee established by IC 4-12-1-3 for its review. The budget committee may request that the authority, ~~or~~ the department of transportation, or both, ~~or the state, as applicable,~~ appear at a public meeting of the budget committee concerning the proposed extension or amendment to the ~~public-private~~ agreement. The authority ~~or the state~~ may not enter into any extension or amendment to the ~~public-private~~ **agreement an agreement described in this section** until after the budget committee has reviewed the proposed extension or amendment.

(c) If the authority or the state receives a lump sum payment

or a series of payments totaling more than one million dollars (\$1,000,000) as a result of entering into any extension or amendment to the ~~public-private~~ agreement in accordance with subsection (b), any amount of that payment that is not obligated to cover any obligation incurred or amounts owed by the authority or the state before the date of the extension or amendment shall be deposited in a special payment reserve fund to be administered by the authority.

(d) The money in the special payment reserve fund at the end of any state fiscal year does not revert to any other fund.

(e) The authority shall invest or cause to be invested all the money in the special payment reserve fund in one (1) or more fiduciary accounts with a trustee that is a financial institution in accordance with the authority's investment policy.

(f) The special payment reserve fund may not be used for any purpose before May 1 of the year following the year in which the payment was received. Thereafter, unless the use of the fund is otherwise specified by law, the money in the fund shall be allocated and distributed to the fund into which the payment would have otherwise been deposited:

(1) under IC 8-15.5, in the case of a public-private agreement described in subsection (a)(1); or

(2) based on the agreement, in the case of an agreement described in subsection (a)(2).

SECTION 4. IC 5-1.2-4.5-2, AS ADDED BY P.L.108-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]: Sec. 2. (a) This section applies to:

(1) a public-private agreement to which the authority is a party under IC 8-15.5 and that is originally entered into after May 1, 2019; and

(2) any other agreement to which the authority or the state is a party under any provision of the Indiana Code, other than IC 8-15.5, that would increase revenue as the result of the monetization of a state asset and that is entered into after May 1, 2020.

(b) If an extension or an amendment to:

(1) a public-private agreement described in subsection (a)(1) would increase the amount to be:

(+) (A) paid by the authority to the operator, another private entity, or a governmental entity by at least one hundred million dollars (\$100,000,000); or

(-) (B) received by the operator or a party related to the operator by at least one hundred million dollars (\$100,000,000); or

(2) an agreement described in subsection (a)(2) would increase revenue by least one hundred million dollars (\$100,000,000) as the result of the monetization of a state asset;

the authority ~~or the state~~ shall submit the proposed extension or amendment to the ~~public-private~~ agreement to the budget committee established by IC 4-12-1-3 for its review.

(c) The budget committee may request that the authority, or the department of transportation, or both, or the state, as applicable, appear at a public meeting of the budget committee concerning the proposed extension or amendment to the ~~public-private~~ an agreement described in this section. The authority or the state may not enter into any extension or

amendment to the ~~public-private~~ agreement **an agreement described in this section** until after the budget committee has reviewed the proposed extension or amendment."

Page 6, line 13, after "Indiana;" insert "**or**".

Page 6, line 15, delete "IC 6-2.5-8-1; or" and insert "**IC 6-2.5-8-1.**"

Page 6, delete lines 16 through 18.

Page 20, line 32, delete ", or fifty percent".

Page 20, delete line 33.

Page 20, line 34, delete "case of a married individual filing a separate return,".

Page 23, line 3, delete "withheld" and insert "**imposed**".

Page 26, line 19, delete "withheld" and insert "**imposed**".

Page 35, line 26, delete "withheld" and insert "**imposed**".

Page 36, delete lines 13 through 42.

Page 37, delete lines 1 through 31.

Page 45, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 33. IC 6-3-4-16.7, AS ADDED BY P.L.234-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16.7. (a) For taxable years ending after December 31, 2019, a partnership that is required to provide twenty-five (25) or more ~~reports~~ **schedules K-1 of form IT-65** to partners ~~under section 12(b) of this chapter~~ or a corporation that is required to provide twenty-five (25) or more ~~reports~~ **schedules K-1 of form IT-20S** to shareholders ~~under section 13(b) of this chapter~~ must file all such ~~reports~~ **schedules** in an electronic format specified by the department.

(b) For taxable years ending after December 31, 2021, an estate or trust required to provide ten (10) or more reports to beneficiaries under section 15(b) of this chapter must file all such reports in an electronic format specified by the department.

(c) If the department receives a form IT-65, form IT-20S, or form IT-41 with more than fifty (50) schedules K-1 in a format other than the electronic format specified by the department, the department may provide written notification to the partnership, estate, or trust that the department will consider the schedules to not be filed until the schedules have been filed in the specified electronic format."

Delete pages 46 through 55.

Page 56, delete lines 1 through 25.

Page 56, line 28, delete "JANUARY 1, 2021:." and insert "APRIL 1, 2020:."

Page 57, line 5, after "rate)," insert "**imposed on Marion County residents,**".

Page 57, line 9, delete "withholding tax on behalf of an individual or" and insert "**that is subject to the tax imposed**".

Page 57, line 10, delete "entity recipient".

Page 57, line 14, delete "twenty (20) days after the end of the month in" and insert "**thirty (30) days after the end of the calendar year during**".

Page 57, line 31, delete "chapter." and insert "**chapter, except against the tax imposed under this chapter.**".

Page 57, line 33, delete "withholding under this section" and insert "**tax under this chapter**".

Page 57, line 33, delete "information".

Page 57, line 35, delete "thirtieth" and insert "**fifteenth day of**".

the fourth month".

Page 57, line 36, delete "day".

Page 60, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 37. IC 6-5.5-1-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 21. (a)

"Loans arising in factoring" means:

(1) a loan or extension of credit secured by one (1) or more accounts receivable; or

(2) a sale of one (1) or more accounts receivable in which the purchaser has recourse against the seller for an uncollected accounts receivable.

(b) The term does not refer to:

(1) a sale of one (1) or more accounts receivable without recourse; or

(2) an assignment of an account receivable."

Delete page 61.

Page 62, delete lines 1 through 39.

Page 62, line 41, reset in roman "Sec. 606.5. (a) Every person included within the terms of".

Page 62, reset in roman line 42.

Page 63, reset in roman lines 1 through 17.

Page 63, line 35, after "(f)" insert "(d)".

Page 63, line 35, reset in roman "A distributor's or an Indiana transportation license is required for".

Page 63, reset in roman lines 36 through 39.

Page 63, line 40, after "(g)" insert "(e)".

Page 63, line 40, reset in roman "The operator of a vehicle to which this section applies shall at all".

Page 63, reset in roman lines 41 through 42.

Page 64, reset in roman lines 1 through 2.

Page 64, line 3, after "(h)" insert "(f)".

Page 64, line 3, reset in roman "The department shall provide for relief if a shipment of gasoline".

Page 64, reset in roman lines 4 through 12.

Page 68, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 46. IC 6-8.1-3-27 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The appropriate county officer, as designated by the county executive, in each county shall, before December 1, 2021, and before December 1 of every year thereafter, submit parcel level data to the state GIS officer to be used in establishing and updating the geographic information system described in IC 4-23-7.3-14(16).

(b) Beginning January 1, 2022, the department shall integrate the geographic information system codes developed and updated by the state GIS officer under IC 4-23-7.3-14(16).

(c) Before July 1, 2021, and before every July 1 thereafter, the department and state GIS officer shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the implementation and use of geographic information systems under this section."

Page 71, line 39, delete "IC 6-3-4.5-9," and insert "subsection (j)."

Page 72, between lines 6 and 7, begin a new paragraph and insert:

"(j) The following apply:

(1) This subsection applies to partnerships whose taxable year:

(A) begins after December 31, 2017;

(B) ends after August 12, 2018; or

(C) begins after November 2, 2015, and before January 1, 2018, and for which a valid election under United States Treasury Regulation 301.9100-22 is in effect;

and to the partners of such partnerships, including any partners, shareholders, or beneficiaries of a pass through entity that is a partner in such partnership.

(2) Notwithstanding any other provision of this article, if a partnership is subject to federal income tax liability or a federal tax adjustment at the partnership level as the result of a modification under Sections 6221 through 6241 of the Internal Revenue Code, the date on which the department must issue a proposed assessment to either the partners or the partnership shall be the later of:

(A) the date on which a proposed assessment must otherwise be issued to the partner or the partnership under this section with regard to the taxable year of the partnership to which the modification is taxed at the partnership level; or

(B) December 31, 2021.

(3) For purposes of this section and IC 6-8.1-9-1, a modification under this subsection shall be considered a modification to the federal taxable income, federal adjusted gross income, or federal income tax liability of both the partners and the partnership within the meaning of IC 6-3-4-6 and IC 6-5.5-6-6, and shall be considered to be included in the federal taxable income or federal adjusted gross income of both the partners and partnerships for purposes of this article and IC 6-5.5.

(4) If a modification made to a partnership for federal income tax purposes is reported to the partners to determine the partners' respective federal taxable income, federal adjusted gross income, or federal income tax liability, including reporting to partners as the result of an election made under Section 6226 of the Internal Revenue Code, subdivision (2) shall not apply, and those modifications shall be treated as modifications to the partner's federal taxable income, federal adjusted gross income, or federal income tax liability for purposes of the following:

(A) This section.

(B) IC 6-3-4-6.

(C) IC 6-5.5-6-6.

(D) IC 6-8.1-9-1."

Page 78, line 27, delete "Except as otherwise provided in IC 6-3-4.5-11, if" and insert "If".

Page 78, line 32, strike "later" and insert "latest".

Page 78, line 33, strike "or".

Page 78, line 40, delete "tax)." and insert "tax); or".

Page 78, between lines 40 and 41, begin a new line block indented and insert:

"(3) in the case of a modification described in IC 6-8.1-5-2(j)(1) through IC 6-8.1-5-2(j)(3), December 31, 2021."

Page 82, delete lines 21 through 42, begin a new paragraph and insert:

"SECTION 52. IC 6-8.1-10-5, AS AMENDED BY P.L.293-2013(ts), SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. (a) If a person makes a tax payment with a check, credit card, debit card, or electronic funds transfer, and the department is unable to obtain payment on the check, credit card, debit card, or electronic funds transfer for its full face amount when the check, credit card, debit card, or electronic funds transfer is presented for payment through normal banking channels, a penalty of ten percent (10%) of the unpaid tax or the value of the check, credit card, debit card, or electronic funds transfer, whichever is smaller, is imposed:

(b) When a penalty is imposed under subsection (a), the department shall notify the person by mail that the check, credit card, debit card, or electronic funds transfer was not honored and that the person has ten (10) days after the date the notice is mailed to pay the tax and the penalty either in cash, by certified check, or other guaranteed payment. If the person fails to make the payment within the ten (10) day period, the penalty is increased to thirty percent (30%) multiplied by the value of the check, credit card, debit card, or electronic funds transfer, or the unpaid tax, whichever is smaller.

(c) If a person has been assessed a penalty under subsection (a) more than one (1) time, the department may require all future payments for all listed taxes to be remitted with guaranteed funds.

(d) If the person subject to the penalty under this section can show that there is reasonable cause for the check, credit card, debit card, or electronic funds transfer not being honored, the department may waive the penalty imposed under this section.

(a) For purposes of this section, "payment instrument" shall mean:

- (1) a check;
- (2) a credit card;
- (3) a debit card;
- (4) an electronic funds transfer; or
- (5) any other instrument in payment by any commercially allowable means.

(b) If a person makes a payment to the department for an amount due to the department with a payment instrument and the department is unable to obtain payment on the payment instrument for the full amount of the attempted payment when the payment instrument is presented for payment through the normal banking channels, the department shall:

- (1) notify the person that the department was unable to obtain payment on the full amount of the payment instrument; and
- (2) assess a penalty of thirty-five dollars (\$35) not more than thirty (30) days after the department was unable to obtain payment.

(c) If the department determines that the person makes a payment described in subsection (b) fraudulently or otherwise knowing that the department would be unable to obtain payment on the payment instrument for the full amount of the attempted payment when the payment instrument is presented for payment through normal banking channels, the penalty shall be one hundred percent (100%) of the amount on which the department was unable to obtain payment, but not less than thirty-five dollars (\$35). The following apply:

(1) A penalty assessment under this subsection shall be made not more than three (3) years after the department was unable to obtain payment.

(2) The penalty under this subsection shall not be made in addition to the penalty under subsection (b)(2). However, nothing shall prohibit the department from issuing a penalty under this subsection with regard to a payment after a penalty under subsection (b)(2) was issued.

(d) If the department is unable to obtain payment on a payment instrument, the amount on which the department was unable to obtain payment shall not be considered to be a payment of that amount.

(e) The following apply:

(1) Any penalty under subsection (b)(2) shall be due not less than twenty (20) days after the department issues the assessment under subsection (b)(2) or (c).

(2) If the person fails to pay the penalty provided under this section in full within the time specified by the department, the department may file a tax warrant for the unpaid portion of the penalty in the manner provided under IC 6-8.1-8-2.

(3) For purposes of this article, a penalty under subsection (b)(2) shall not be considered to be a proposed assessment under IC 6-8.1-5-1.

(f) If a person receives a penalty under subsection (c), the penalty shall be treated as a proposed assessment as provided in IC 6-8.1-5-1. However, if the person pays the penalty under subsection (c) and files a claim for refund of the penalty, notwithstanding IC 6-8.1-9-1, the payment of the penalty shall not be refunded unless the person protested the penalty pursuant to IC 6-8.1-5-1 in a timely manner.

(g) The following apply:

(1) If the penalty under subsection (b)(2) relates to an attempted payment of a liability for which the department has filed a tax warrant under IC 6-8.1-8-2 or for which the department files a tax warrant under IC 6-8.1-8-2 prior to the expiration of the period specified in subsection (e), the tax warrant may include the amount of the penalty provided in this section prior to the expiration of the period specified in subsection (e).

(2) If a penalty under this section is included as part of a proposed assessment under IC 6-8.1-5-1, the filing of a tax warrant for the penalty under this section shall be timely if the tax warrant for the penalty:

- (A) was filed on or before the day as a timely filed tax warrant for the proposed assessment;

- (B) was filed as part of the tax warrant for the proposed assessment; or
- (C) was otherwise filed within the period allowable under IC 6-8.1-8-2.

(h) The following apply:

- (1) The department may waive the penalty under this section if the person establishes that the person acted with reasonable cause in its attempted payment.
- (2) If the department determines that the penalty under subsection (b)(2) shall not be waived, including a reduction granted under subdivision (3), such determination shall not be subject to administrative or judicial review.
- (3) If the department determines that the penalty under this section should be waived, but the liability for the penalty has advanced to a tax warrant:

- (A) the amount due under the tax warrant shall be reduced by the amount of any penalty under this section included in the tax warrant but not paid; or
- (B) if the person has paid the penalty under this section, the department shall refund the penalty under this section paid by the person.

- (4) Nothing shall prohibit judicial review of a penalty under this section if the penalty was imposed on a payment instrument upon which the department was able to collect the full amount of the payment instrument upon presentation of the payment through the normal banking channels.

(i) If a person has been subject to a penalty under this section more than one (1) time during a twenty-four (24) month period, or has been subject to a penalty under subsection (c) that has not been reduced or waived, the department may require the person to remit all future payments for all listed taxes with guaranteed funds."

Page 83, delete lines 1 through 11.

Page 83, delete lines 38 through 42, begin a new paragraph and insert:

"SECTION 56. IC 6-8.1-16.3-5 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 5: (a) As used in this section, "fund" means the department of state revenue pilot program fund established by subsection (b):

(b) The department of state revenue pilot program fund is established:

(c) The fund shall be used to assist implementation and administration of the pilot program:

(d) The fund may consist of one (1) or more of the following:

- (1) Appropriations made by the general assembly;
- (2) Donations made or gifts donated to the fund;
- (3) Any proceeds derived from agreements or contracts made with third parties;

(e) The fund shall be administered by the department;

(f) The expenses of administering the pilot program and the fund shall be paid for by the fund;

(g) Unless otherwise provided by state or federal law, expenses associated with the pilot program shall be paid for by fund proceeds;

(h) Any money in the fund at the end of a state fiscal year does not revert to the state general fund:

(i) Money in the fund is continuously appropriated to the department of state revenue to carry out the purposes of the fund:

SECTION 57. IC 6-8.1-16.3-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2020]: Sec. 5.5. (a) Any balance remaining on June 30, 2020, in the state revenue pilot program fund established by section 5 of this chapter (before its repeal) is transferred to the motor carrier regulation fund established by IC 8-2.1-23-1.

(b) Notwithstanding any other law, any proceeds derived from agreements or a contract made with third parties under this chapter, and any other revenue received under this chapter, that would have been deposited in the state revenue pilot program fund established by section 5 of this chapter (before its repeal) shall be deposited in the motor carrier regulation fund established by IC 8-2.1-23-1.

SECTION 58. IC 8-2.1-23-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Money in the motor carrier regulation fund does not revert to the state general fund. However, if the amount of money in the fund at the end of a fiscal year exceeds five hundred thousand dollars (\$500,000), the treasurer of state shall transfer the excess from the fund to the motor vehicle highway account established in IC 8-14-1.

SECTION 59. [EFFECTIVE JANUARY 1, 2021] (a) IC 6-8.1-10-5, as amended by this act, shall be effective for attempted payments made after December 31, 2020.

(b) This SECTION expires January 1, 2024."

Page 84, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

(Reference is to SB 408 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 409, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 14, delete "IC 22-2-18;" and insert "IC 22-2-18 (before its expiration on June 30, 2021);".

Page 2, line 16, delete "IC 22-2-18." and insert "IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.

(c) The county election board is not required to register as an employer under IC 22-2-18.1."

Page 3, line 2, delete "IC 22-2-18;" and insert "IC 22-2-18 (before its expiration on June 30, 2021);".

Page 3, line 4, delete "IC 22-2-18." and insert "IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.

(f) The county election board is not required to register as an employer under IC 22-2-18.1."

Page 3, line 25, delete "IC 22-2-18." and insert "IC 22-2-18 (before its expiration on June 30, 2021)."

Page 3, line 35, after "IC 20" insert "and IC 22".

Page 5, line 1, after "IC 22-2-18" insert ", before its

expiration on June 30, 2021".

Page 6, line 11, after "IC 22-2-18" insert ", before its expiration on June 30, 2021".

Page 8, line 25, after "issued" insert "under IC 22-2-18 (before its expiration on June 30, 2021)".

Page 8, line 27, delete "IC 22-2-18-21," and insert "IC 22-2-18-21 (before its expiration on June 30, 2021),".

Page 9, line 4, after "IC 22-2-18-21" insert "(before its expiration on June 30, 2021)".

Page 9, line 42, delete "IC 22-2-18-41." and insert "IC 22-2-18-41 (before its expiration on June 30, 2021) and IC 22-2-18.1-23.".

Page 10, line 23, delete "IC 22-2-18-44," and insert "IC 22-2-18-44 (before its expiration on June 30, 2021),".

Page 10, line 24, delete "IC 22-2-18-45, and IC 22-2-18-46." and insert "IC 22-2-18-45 (before its expiration on June 30, 2021), and IC 22-2-18-46 (before its expiration on June 30, 2021) or violations under IC 22-2-18.1-30.".

Page 10, line 28, delete "IC 22-2-18-44." and insert "IC 22-2-18-44 (before its expiration)".

Page 10, line 33, delete "centralized electronic permitting" and insert "data base that is accessible by the public that displays an employer that has registered as an employer who employs minors".

Page 10, line 34, delete "system for employment certificates".

Page 10, line 37, delete "a" and insert "a data base that is accessible by the public that displays an employer that has registered as an employer who employs minors.".

Page 10, delete lines 38 through 39.

Page 24, between lines 14 and 15, begin a new paragraph and insert:

"Sec. 50. On May 1, 2020, the auditor of state shall transfer the balance that remains on April 30, 2020, in the employment of youth fund established by IC 20-33-4-42 (before its repeal) to the employment of youth fund established by section 48 of this chapter.

Sec. 51. This chapter expires June 30, 2021.

SECTION 15. IC 22-2-18.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]:

Chapter 18.1. Employment of Minors

Sec. 1. This chapter is effective July 1, 2021.

Sec. 2. This chapter does not apply to:

- (1) a parent who employs the parent's own child;
- (2) a person standing in place of a parent who employs a child in the person's custody; or
- (3) a legal entity whose ownership is limited to the parents of the employed child or persons standing in place of the parent of the employed child;

except in the instances of underage employment (as set forth in section 12 of this chapter) and employment in hazardous occupations designated by federal law (as set forth in section 23 of this chapter).

Sec. 3. This chapter applies to a minor less than eighteen (18) years of age who is employed or is seeking employment in Indiana.

Sec. 4. As used in this chapter, "department" refers to the department of labor created by IC 22-1-1-1.

Sec. 5. As used in this chapter, "employer" means a person, firm, limited liability company, or corporation that hires, employs, or permits a minor to work in a gainful occupation.

Sec. 6. As used in this chapter, "high school" has the meaning set forth in IC 20-18-2-7.

Sec. 7. As used in this chapter, "nonschool week" refers to a week that contains two (2) or fewer school days.

Sec. 8. As used in this chapter, "parent" has the meaning set forth in IC 20-18-2-13.

Sec. 9. As used in this chapter, "public school" has the meaning set forth in IC 20-18-2-15.

Sec. 10. As used in this chapter, "school day" refers to a day that contains more than four (4) hours of classroom instruction.

Sec. 11. As used in this chapter, "school week" refers to a week that contains at least three (3) school days.

Sec. 12. This section does not apply to a minor who is employed or works as a youth athletic program referee, umpire, or official under section 13 of this chapter. A minor less than:

- (1) fourteen (14) years of age may not be employed or allowed to work in any gainful occupation except as a farm laborer, domestic service worker, or caddie for persons playing the game of golf; and
- (2) twelve (12) years of age may not be permitted to work at farm labor except on a farm operated by the minor's parent.

Sec. 13. (a) If the conditions of subsections (b) and (c) are satisfied, a minor who is less than eighteen (18) years of age is exempt from the requirements of this chapter whenever the minor is employed or works as a youth athletic program referee, umpire, or official.

(b) A minor must satisfy all of the following:

- (1) The minor is at least twelve (12) years of age.
- (2) The minor is certified as a referee, umpire, or official by a national certification program.
- (3) The minor is a referee, umpire, or official for an age bracket younger than the minor's own age.

(c) In addition to the requirements of subsection (b), one (1) of the following must be satisfied:

(1) The minor:

(A) works with a person who is:

- (i) at least eighteen (18) years of age; and
- (ii) also working as a referee, umpire, or official at the same athletic event at which the minor is working as a referee, umpire, or official; and

(B) has on file with the person responsible for assigning the minor to officiate for the youth athletic program the original or a copy of a written consent to the minor's employment as a referee, umpire, or official signed by the minor's parent or guardian.

(2) A minor's parent or guardian is present during the athletic event at which the minor is working as a referee, umpire, or official.

Sec. 14. This chapter may not prevent a minor of any age from singing, playing, or performing in a studio, circus, theatrical, or musical exhibition, concert, or festival, in radio

and television broadcasts, or as a live or photographic model. A minor less than eighteen (18) years of age may not be employed except under the following conditions:

- (1) The activities described in this section must not:
 - (A) be detrimental to the life, health, safety, or welfare of the minor; or
 - (B) interfere with the schooling of the minor.

Provision shall be made for education equivalent to full-time school attendance in the public schools for minors less than sixteen (16) years of age.

- (2) A parent shall accompany a minor less than sixteen (16) years of age at all rehearsals, appearances, and performances.

- (3) The employment or appearance may not be in a cabaret, dance hall, night club, tavern, or other similar place.

Sec. 15. The employment of minors by the:

- (1) Indiana School for the Deaf; and
- (2) Indiana School for the Blind and Visually Impaired;

is subject to the general restrictions imposed on the employment of minors under this chapter.

Sec. 16. (a) Except as provided in subsection (b), sections 17 through 22 of this chapter apply only to the employment of a minor who is less than eighteen (18) years of age.

(b) Sections 17 through 22 of this chapter do not apply to the following:

- (1) A minor who is at least fourteen (14) years of age but less than eighteen (18) years of age who:

(A) performs:

- (i) farm labor; or
- (ii) domestic service; or

(B) acts as a caddie for a person playing the game of golf.

- (2) A minor who is:

(A) at least twelve (12) years of age but less than eighteen (18) years of age; and

(B) employed or works as a youth athletic program referee, umpire, or official under section 13 of this chapter.

- (3) A minor less than eighteen (18) years of age who:

(A) works as an actor or performer if the provisions of section 14 of this chapter are met; or

(B) has graduated from high school.

Sec. 17. The following apply only to a minor who is at least fourteen (14) years of age and less than sixteen (16) years of age:

- (1) The minor may not work before 7 a.m. or after 7 p.m. However, the minor may work until 9 p.m. from June 1 through Labor Day.

- (2) The minor may not work:

- (A) more than three (3) hours on a school day;
- (B) more than eighteen (18) hours in a school week;
- (C) more than eight (8) hours on a nonschool day; or
- (D) more than forty (40) hours in a nonschool week.

Sec. 18. A minor who is at least sixteen (16) years of age and less than eighteen (18) years of age may not:

- (1) work for more than nine (9) hours in any one (1) day;

- (2) work for more than forty (40) hours in a school week;

- (3) work for more than forty-eight (48) hours in a nonschool week;

- (4) work for more than six (6) days in any one (1) week; or

- (5) begin a work day before 6 a.m.

Sec. 19. A minor who is at least sixteen (16) years of age and less than eighteen (18) years of age may work until 10 p.m. on nights that are followed by a school day in any occupation except those that the commissioner of labor determines to be:

- (1) dangerous to life or limb; or

- (2) injurious to health or morals.

Sec. 20. A minor who is at least sixteen (16) years of age and less than eighteen (18) years of age may work until 11 p.m. on a night followed by a school day if the employer has obtained written permission from the minor's parent and placed the written permission on file in the employer's office.

Sec. 21. A minor who is at least sixteen (16) years of age and less than eighteen (18) years of age may be employed at the same daily and weekly hours and at the same times of day as adults if the minor is a member of any of the following categories:

- (1) The minor is a high school graduate.

- (2) The minor has completed an approved career and technical education program or special education program.

- (3) The minor is not enrolled in a regular school term.

Sec. 22. Every employer that employs a minor at least fourteen (14) years of age and less than eighteen (18) years of age shall post and keep posted a printed notice in a conspicuous place or in places where notices to employees are customarily posted. This notice must state:

- (1) the maximum number of hours a minor may be employed or permitted to work each day of the week; and

- (2) the hours of beginning and ending each day.

The forms for this notice shall be furnished by the department.

Sec. 23. The department shall prohibit a minor who is less than eighteen (18) years of age from working in an occupation designated as hazardous by the child labor provisions of the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), except when the minor is working for the minor's parent or a person standing in the place of the minor's parent on a farm owned or operated by the parent or person.

Sec. 24. This chapter does not prevent a student from working on a properly guarded machine in the training department of a school when an instructor provides personal supervision.

Sec. 25. (a) The department shall create and maintain a data base that is accessible by the public and that displays each employer that is required to register under this chapter.

(b) The data base must include the name and electronic mail address of each employer registered under this chapter.

Sec. 26. (a) Each employer that hires, employs, or permits

at least five (5) minors who are:

- (1) at least fourteen (14) years of age; and
- (2) less than eighteen (18) years of age;

to work in a gainful occupation must register with the department and pay a registration fee to the department under this chapter.

(b) An employer that must register under this chapter must provide, in the form and manner prescribed by the department, the following information:

- (1) The name of the employer.
- (2) The electronic mail address of the employer.
- (3) The number of minors whom the employer has hired, employed, or permitted to work in a gainful occupation.
- (4) Any other information required by the department.

(c) The fee to register with the department is as follows:

- (1) For an employer that hires, employs, or permits at least five (5) and not more than fourteen (14) minors to work in a gainful occupation, two hundred dollars (\$200).
- (2) For an employer that hires, employs, or permits at least fifteen (15) and not more than forty-nine (49) minors to work in gainful occupation, four hundred dollars (\$400).
- (3) For an employer that hires, employs, or permits at least fifty (50) and not more than ninety-nine (99) minors to work in a gainful occupation, eight hundred dollars (\$800).
- (4) For an employer that hires, employs, or permits at least one hundred (100) minors to work in a gainful occupation, one thousand six hundred dollars (\$1,600).

Sec. 27. (a) The department shall adopt rules under IC 4-22-2, including emergency rules adopted in the manner provided under IC 4-22-2-37.1, to:

- (1) develop a schedule for payment of the registration fee and submission of the registration under section 26 of this chapter; and
- (2) implement this chapter.

(b) The department may establish recommendations for rest breaks.

Sec. 28. (a) The department and its authorized inspectors and agents:

- (1) shall enforce this chapter and ensure that all violators are prosecuted; and
- (2) may visit and inspect, at all reasonable hours and when as practicable and necessary, all establishments affected by this chapter.

(b) It is unlawful for any person to interfere with, obstruct, or hinder any inspector or agent of the department while the inspector or agent performs official duties or to refuse to properly answer questions asked by an inspector or agent of the department.

(c) When requested in writing by the department, the attorney general shall assist the prosecuting attorney in the prosecution of persons charged with a violation of this chapter.

Sec. 29. (a) The department and its authorized inspectors and agents may investigate the age of a minor who is

employed or allowed to work in an occupation.

(b) If the department or its authorized inspectors and agents find that the age of the minor is below the age authorized under this chapter, the:

- (1) employment; or
- (2) fact that the minor is allowed to work;

is prima facie evidence of unlawful employment.

Sec. 30. (a) An employer that violates this chapter may be assessed the civil penalties described in this section by the department.

(b) For an hour violation of not more than thirty (30) minutes under sections 17 through 20 of this chapter, a violation of section 18(4) of this chapter, or a posting violation under section 22 of this chapter the civil penalties are as follows:

- (1) A warning letter for any violations identified during an initial inspection.
- (2) Fifty dollars (\$50) per instance for a second violation identified in a subsequent inspection.
- (3) Seventy-five dollars (\$75) per instance for a third violation that is identified in a subsequent inspection.
- (4) One hundred dollars (\$100) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.

(c) For a failure to register or failing to register the correct number of minors employed under section 26 of this chapter, an hour violation of more than thirty (30) minutes under sections 17 through 20 of this chapter, an age violation under section 12 or 14 of this chapter, or a hazardous occupation violation under section 23 of this chapter the civil penalties are as follows:

- (1) A warning letter for any violations identified during an initial inspection.
- (2) One hundred dollars (\$100) per instance for each violation identified in a subsequent inspection.
- (3) Two hundred dollars (\$200) per instance for a third violation that is identified in a subsequent inspection.
- (4) Four hundred dollars (\$400) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.

Sec. 31. (a) A civil penalty assessed under section 30 of this chapter:

- (1) is subject to IC 4-21.5-3-6; and
- (2) becomes effective without a proceeding under IC 4-21.5-3 unless a person requests an administrative review not later than thirty (30) days after notice of the assessment is given.

(b) For purposes of determining:

- (1) whether a second violation has occurred when assessing a civil penalty under subsection (a), a first violation expires one (1) year after the date of issuance of a warning letter by the department under section 30 of this chapter; and
- (2) recurring violations of this section, each location of

an employer shall be considered separate and distinct from another location of the same employer.

Sec. 32. (a) There is established a labor education and youth employment fund to educate affected parties on the purposes and contents of this chapter and the responsibilities of all parties under this chapter.

(b) The labor education and youth employment fund shall be used each year for the expenses of hiring and salaries of additional inspectors to enforce this chapter under section 30 of this chapter. Any remaining funds may be used for the purpose of the education provision of this subsection and may be used to award grants to provide educational programs.

(c) The labor education and youth employment fund shall be administered by the department. The expenses of administering the labor education and youth employment fund shall be paid from money in the fund. The treasurer of state shall invest the money in the labor education and youth employment fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the labor education and youth employment fund. Money in the labor education and youth employment fund at the end of a state fiscal year does not revert to the state general fund.

(d) Revenue received from registrations under section 26 of this chapter and civil penalties under section 30 of this chapter shall be deposited in the labor education and youth employment fund.

(e) All inspectors hired to enforce this chapter shall also be available to educate affected parties on the purposes and contents of this chapter and the responsibilities of all parties under this chapter.

Sec. 33. On July 1, 2021, the auditor of state shall transfer the balance that remains on June 30, 2021, in the employment of youth fund established by IC 22-2-18-48 (before its expiration) to the labor education and youth employment fund established by section 32 of this chapter.

Sec. 34. The department shall submit, not later than December 1 of each year, an annual report listing all registered employers under section 25 of this chapter to the governor's workforce cabinet established by IC 4-3-27-3."

Page 28, line 9, delete "IC 22-2-18-41," and insert "IC 22-2-18-41 (before its expiration on June 30, 2021) and IC 22-2-18.1-23,".

Page 38, line 14, delete "IC 22-2-18-41." and insert "IC 22-2-18-41 (before its expiration on June 30, 2021) and IC 22-2-18.1-23,".

Page 38, line 16, delete "IC 22-2-18." and insert "IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1,".

Renumber all SECTIONS consecutively.

(Reference is to SB 409 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 410, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete line 42, begin a new paragraph and insert:

"SECTION 2. IC 6-1.1-17-20.4, AS ADDED BY P.L.252-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20.4. (a) This section applies only if a public library's cash on hand plus its expected revenues on December 31, as reported in the public library's annual report under IC 5-11-1-4, the cash balance of all funds of the public library derived from tax revenue is greater than one hundred fifty percent (150%) of the public library's proposed certified budget for the ensuing year.

(b) As used in this section, "cash on hand" refers to the public library's cash and investments balance in nondebt funds as of the date the public library proposes a budget for the following budget year. The term does not include cash derived from gifts, bequests, or philanthropic funds.

(c) As used in this section, "expected revenues" refers to the total of a public library's expected revenues in the public library's nondebt funds in the following budget year.

(d) (b) Notwithstanding If section 20.3(a)(2) of this chapter does not apply, the fiscal body of a city, town, or county that established a public library described in section 20.3(a)(1) of this chapter may adopt a resolution to require the public library to submit its proposed budget and property tax levy to the city, town, or county fiscal body as set forth in section 20.3(c) or 20.3(d) of this chapter (whichever is applicable) for binding review and approval as set forth under section 20.3 of this chapter. However, the fiscal body of the city, town, or county may not reduce a public library's proposed budget or tax levy in a budget year under this section by more than ten percent (10%) of the public library's operating levy in the immediately preceding budget year.

(e) (c) A resolution may be adopted under this section not later than July 1. A resolution adopted under this section remains in full force and effect until repeated by the fiscal body: the December 31 cash balance of all funds of the public library derived from tax revenue, as reported in the public library's annual report under IC 5-11-1-4, no longer exceed one hundred fifty percent (150%) of the public library's certified budget for the ensuing year.

(f) (d) Before a fiscal body may adopt a resolution under this section, the fiscal body must hold a public hearing on the proposed resolution and provide the public with notice of the time and place where the public hearing will be held. The notice required by this subsection must be given in accordance with IC 5-3-1 and include the proposed resolution. In addition to the notice required by this subsection, the fiscal body shall also provide a copy of the notice to all taxing units in the city, town, or county at least thirty (30) days before the public hearing.

(g) (e) A resolution adopted by a fiscal body under this section shall be submitted to:

(1) the department of local government finance; and

(2) the public library;
not later than five (5) days after the date the resolution is adopted."

Delete page 3.

Page 4, delete line 1.

Page 4, line 8, delete "(b) The" and insert "**(b) Not later than October 1, 2020, a**".

Page 4, line 10, delete "not later than October 1 of a year." and insert ".".

Page 4, between lines 18 and 19, begin a new line blocked left and insert:

"The Indiana state library shall provide the information submitted to the Indiana state library under this subsection to the department of local government finance by not later than November 1, 2020."

Page 5, delete line 1 and insert "**November 1, 2020.**".

Page 5, delete lines 2 through 5, begin a new paragraph and insert:

"(f) If there is a change in the territory of the public library:

(1) the public library shall submit a report under subsection (b) to the Indiana state library not later than October 1; and

(2) the Indiana state library shall report the information under subsection (b) to the department of local government finance not later than November 1; in the year the change in territory becomes effective. Subsections (c) and (d) apply to the public library and to any fiscal body that objects to the public library's designation under subsection (a)."

(Reference is to SB 410 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 416, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.3-6.8, AS AMENDED BY P.L.10-2019, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.8. (a) This section applies only to the Gary Community School Corporation.

(b) The general assembly finds that the provisions of this section:

(1) are necessary to address the unique issues faced by the Gary Community School Corporation; and

(2) are not precedent for and may not be appropriate for addressing issues faced by other school corporations.

(c) As used in this section, the following definitions apply:

(1) "Chief academic officer" means the chief academic officer appointed under subsection (j).

(2) "Chief financial officer" means the chief financial officer appointed under subsection (i).

(3) "School corporation" refers to the Gary Community School Corporation.

(d) The Gary Community School Corporation is designated as a distressed political subdivision for purposes of this chapter until the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter. This designation as a distressed political subdivision is effective regardless of whether the school corporation has submitted a petition requesting to be designated as a distressed political subdivision. Until the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter, the Gary Community School Corporation advisory board may not hold a public meeting more often than once every three (3) months. This limit on the number of meetings of the advisory board does not apply to the emergency manager. The emergency manager shall hold a monthly forum to provide an update on the Gary Community School Corporation within the school district that is open to the general public. During the period that the Gary Community School Corporation is designated as a distressed political subdivision, the advisory board may vote to:

(1) fill vacancies;

(2) select officers; or

(3) make appointments;

of the advisory board, and to present awards, recognition, and certificates to employees or supporters of the school corporation.

(e) Until the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter, the following apply to the emergency manager appointed under section 7.5 of this chapter for the school corporation:

(1) The emergency manager has the powers and duties specified in this chapter.

(2) The emergency manager shall consider recommendations from the fiscal management board and the advisory board, but the emergency manager has full responsibility and authority related to financial and academic matters of the school corporation, and the emergency manager may act, as specified in this chapter, on these financial and academic matters without the approval of the fiscal management board or the advisory board.

(3) Notwithstanding section 7.5(d) of this chapter, the distressed unit appeal board shall:

(A) determine the compensation of the emergency manager, chief financial officer, and chief academic officer; and

(B) subject to subsections (i) and (j), pay the emergency manager's, chief financial officer's, and chief academic officer's compensation and reimburse the emergency manager, chief financial officer, and chief academic officer for actual and necessary expenses from funds appropriated to the distressed unit appeal board.

(4) Before appointing the emergency manager, the distressed unit appeal board shall interview at least one (1)

resident of the city of Gary as a candidate for the position. If the distressed unit appeal board is not able to interview a resident of the city of Gary as a candidate for the position, the distressed unit appeal board shall interview at least one (1) individual who is a resident of Lake County or northwest Indiana as a candidate for the position.

The appointment of the emergency manager for the school corporation is terminated on the date the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter.

(f) In addition to any other actions that the distressed unit appeal board may take under this chapter concerning a distressed political subdivision, for a distressed school corporation, the distressed unit appeal board may also do any of the following:

(1) The distressed unit appeal board may delay or suspend, for a period determined by the board, any payments of principal or interest, or both, that would otherwise be due from the school corporation on loans or advances from the common school fund.

(2) The distressed unit appeal board may recommend to the state board of finance that the state board of finance make an interest free loan to the school corporation from the common school fund. The distressed unit appeal board shall determine the payment schedule and the commencement date for the loan. If the distressed unit appeal board makes a recommendation that such a loan be made, the state board of finance may, notwithstanding IC 20-49, make such a loan for a term of not more than ten (10) years. **However, the state board of finance shall extend the term of a loan made under this subdivision to account for amounts of the school corporation's withheld state tuition support that are deposited in the school improvement fund under IC 20-49-11-5(b)(1) for the school corporation.**

(3) The distressed unit appeal board may establish benchmarks of financial improvement for the school corporation.

(4) The distressed unit appeal board may provide a grant or grants to the school corporation from funds appropriated to the distressed unit appeal board, in amounts determined by the distressed unit appeal board, to assist the school corporation in overcoming short term financial problems.

(5) The distressed unit appeal board may make a recommendation to the general assembly concerning the possible restructuring of advances made to the school corporation from the common school fund, including forgiveness of principal and interest on those advances.

(g) The fiscal management board is established. The fiscal management board consists of the following members:

(1) One (1) member appointed by the advisory board.

(2) One (1) member appointed by the mayor of the city of Gary.

(3) One (1) member, who must have experience working with or for an urban school corporation, appointed by the superintendent of public instruction.

(4) One (1) member, who must have experience working with or for an urban school corporation, appointed by the state board of education.

(h) The following apply to the fiscal management board and to the members of the fiscal management board:

(1) The term of office of a member of the fiscal management board is four (4) years, beginning on the date of appointment. A member of the fiscal management board may be reappointed to the fiscal management board. A member of the fiscal management board may be removed for cause by the appointing authority.

(2) A member of the fiscal management board must have the following:

(A) At least three (3) years experience in financial management.

(B) A meaningful background and work experience in finance and business.

(C) An understanding of government contracts.

(D) Knowledge and experience in organizational effectiveness, operations management, and implementing best practices.

(E) Experience in budget development and oversight.

(F) A demonstrated commitment to high professional and ethical standards and a diverse workplace.

(G) An understanding of tax and other compliance implications.

(3) A member of the advisory board may not serve as a member of the fiscal management board.

(4) The fiscal management board:

(A) shall make recommendations to the emergency manager; and

(B) shall advise the emergency manager as requested by the emergency manager.

(5) The members of the fiscal management board are not entitled to any compensation for their service on the fiscal management board.

(6) The fiscal management board is abolished, and the terms of the members of the fiscal management board are terminated, on the date the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter.

(7) Under the supervision of the emergency manager, the fiscal management board shall serve as a liaison to and shall work jointly with the distressed unit appeal board, the mayor of the city of Gary, and the department of education to develop a transition plan to address issues or questions related to:

(A) the designation of the school corporation as a distressed political subdivision and the transfer of powers and duties to the emergency manager under this chapter; and

(B) the potential impact of the transition on the community and the school corporation.

(8) Under the supervision of the emergency manager, the fiscal management board shall work jointly with the distressed unit appeal board, the mayor of the city of Gary, and the department of education to provide information on a regular basis to parents, students, employees of the school corporation, and the public on the status of the transition.

(i) The emergency manager shall employ a chief financial

officer for the school corporation. The chief financial officer is an employee of the school corporation. The chief financial officer shall report to the emergency manager and shall assist the emergency manager appointed for the school corporation and the fiscal management board in carrying out the day to day financial operations of the school corporation. Before July 1, 2019, the compensation of the chief financial officer shall be determined by the distressed unit appeal board. Before July 1, 2019, the compensation of the chief financial officer shall be paid from the funds appropriated to the distressed unit appeal board. After June 30, 2019, the compensation of the chief financial officer shall be determined by and paid by the school corporation. The chief financial officer:

- (1) must possess, through both education and experience, an understanding of finance and financial management; and
- (2) must possess any other experience and must meet any other requirements as required by the distressed unit appeal board to ensure that the chief financial officer is qualified to carry out the financial restructuring of the school corporation.

Before employing a chief financial officer under this subsection, the emergency manager shall interview at least one (1) resident of the city of Gary as a candidate for the position. If the emergency manager is not able to interview a resident of the city of Gary as a candidate for the position, the emergency manager shall interview at least one (1) individual who is a resident of Lake County or northwest Indiana as a candidate for the position.

(j) The emergency manager shall employ a chief academic officer for the school corporation, after consultation with the department of education, who must have experience working with or for an urban school corporation. The chief academic officer is an employee of the school corporation. The chief academic officer shall report to the emergency manager and shall assist the emergency manager appointed for the school corporation and the fiscal management board in carrying out the academic matters of the school corporation. Before July 1, 2019, the compensation of the chief academic officer shall be determined by the distressed unit appeal board. Before July 1, 2019, the compensation of the chief academic officer shall be paid from the funds appropriated to the distressed unit appeal board. After June 30, 2019, the compensation of the chief academic officer shall be determined by and paid by the school corporation. The chief academic officer must:

- (1) hold a valid license to teach in a public school under IC 20-28-5;
- (2) possess, through both education and experience, an understanding of curriculum and academics; and
- (3) possess any other experience and meet any other requirements as required by the distressed unit appeal board to ensure that the chief academic officer is qualified to carry out the academic goals of the school corporation.

Before employing a chief academic officer under this subsection, the emergency manager shall interview at least one (1) resident of the city of Gary as a candidate for the position. If the emergency manager is not able to interview a resident of the city of Gary as a candidate for the position, the emergency manager shall interview at least one (1) individual who is a resident of

Lake County or northwest Indiana as a candidate for the position.

(k) The chief financial officer and chief academic officer shall assist the emergency manager in carrying out the emergency manager's duties under this chapter.

(l) The annual budget adopted by the emergency manager for the school corporation must dedicate a significant part of the school corporation's budget to eliminating the school corporation's outstanding financial obligations. The emergency manager shall attempt to negotiate with the creditors of the school corporation to establish a plan specifying the schedule for paying each creditor. The emergency manager shall submit the plan to the distressed unit appeal board for approval. The distressed unit appeal board must:

- (1) review the plan submitted by the emergency manager; and
- (2) not later than sixty (60) days after the plan is submitted, either:
 - (A) approve the plan as submitted by the emergency manager; or
 - (B) modify the plan as submitted by the emergency manager and then approve the modified plan.

(m) The emergency manager shall consider any recommendations from the fiscal management board, the advisory board, and the mayor of the city of Gary in developing the school corporation's annual budget. The distressed unit appeal board must review and approve the school corporation's annual budget that is proposed by the emergency manager. When the emergency manager submits the school corporation's proposed annual budget to the distressed unit appeal board, the emergency manager shall provide copies of the proposed annual budget to the fiscal management board and the advisory board.

(n) After considering any recommendations from the fiscal management board, the advisory board, and the mayor of the city of Gary, the emergency manager shall do the following:

- (1) Conduct a financial and compliance audit of the operations of the school corporation.
- (2) Develop a written financial plan for the school corporation. The object of the plan must be to achieve financial stability for the school corporation, and the plan must include provisions for paying all of the school corporation's outstanding obligations and for paying all future obligations of the school corporation (including any federal, state, or local taxes or assessments) in a timely manner.

(o) In addition to the report required by section 8.5(c)(5) of this chapter, the emergency manager, the chief financial officer, and the chief academic officer shall report quarterly to the distressed unit appeal board in a format specified by the distressed unit appeal board. The report must include:

- (1) information concerning the actions that the school corporation is taking to improve the financial condition of the school corporation; and
- (2) any other information required by the distressed unit appeal board.

The emergency manager shall report more frequently than quarterly if requested by the distressed unit appeal board. The emergency manager shall provide copies of the report to the

fiscal management board, the advisory board, and the mayor of the city of Gary. The emergency manager shall present each report at a public meeting of the fiscal management board.

(p) The school corporation shall do the following:

- (1) Publish a copy of each report under subsection (o) on the school corporation's Internet web site, along with a link to the main page of the Indiana transparency Internet web site established under IC 5-14-3.7 to provide access to financial data for local schools.
- (2) Make copies of each report available free of charge to the public upon request.
- (3) Provide copies of each report to the mayor of the city of Gary. The mayor shall make copies of the reports available free of charge to the public upon request.

(q) The chief academic officer shall develop an education plan to provide academic services to students in the school corporation and to achieve academic progress. The education plan must include at least the following components:

- (1) An academic program designed to meet Indiana's academic standards and to assist students in meeting those academic standards.
- (2) A plan to improve the academic performance of all students, including improvement in the performance of students on standardized tests.
- (3) A plan to engage parents in school performance and school activities, including regular meetings at each school involving administrators, teachers, parents, and interested members of the community.
- (4) A plan to implement performance standards that will attract students and families to the school corporation.
- (5) A plan specifying how the school corporation will work directly with the city of Gary:
 - (A) to make the schools a successful component of life within the city; and
 - (B) to develop a sense of pride and progress in the operations and accomplishments of the school corporation.

The chief financial officer and the chief academic officer shall submit a report to the advisory board each quarter. The chief financial officer and chief academic officer shall meet at least quarterly with the executive committee of the bargaining unit to inform the executive committee of the academic progress of the school corporation."

Delete pages 2 through 14.

Page 15, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.3-13, AS AMENDED BY P.L.213-2018(ss), SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) If an emergency manager of a distressed political subdivision files a petition with the board for termination of the political subdivision's status as a distressed political subdivision, the board shall conduct a public hearing on the question of whether to terminate the political subdivision's status as a distressed political subdivision.

(b) In the case of a political subdivision designated as distressed under this chapter, the board shall terminate the

political subdivision's status as a distressed political subdivision if the board finds that the conditions found in section 6.5 of this chapter are no longer applicable to the political subdivision and all the following conditions are met:

(1) The political subdivision has achieved and maintained financial solvency for a period of at least two (2) years, including the following:

- (A) Maintaining a structurally balanced budget for at least two (2) years.
- (B) Having no unpaid or past due critical contractual financial obligations or vendor payments.

(2) The political subdivision has a fiscal plan that maintains financial solvency for a period of at least five (5) years after the termination of its distressed status.

(3) The political subdivision meets all other conditions identified by the board.

(4) The board determines that the political subdivision is financially stable.

(c) Notwithstanding subsection (b), in the case of a township designated as distressed under section 6.7 of this chapter, the board shall terminate the township's status as a distressed political subdivision if the board finds that the township's township assistance property tax rate (as defined in section 6.7(a) of this chapter) for the current calendar year is not more than the result of:

- (1) the statewide average township assistance property tax rate (as determined by the department of local government finance) for property taxes first due and payable in the preceding year; multiplied by
- (2) twelve (12).

(d) Notwithstanding any other section of this chapter, not later than ninety (90) days after taking office, a new executive of a distressed political subdivision may petition the board for suspension of the political subdivision's distressed status. In the case of a political subdivision designated as distressed under section 6.5 of this chapter, the executive must include in its petition a written plan to resolve the applicable issues described in section 6.5 of this chapter. In the case of a township designated as distressed under section 6.7 of this chapter, the executive must include in its petition a written plan to lower the township's township assistance property tax rate (as defined in section 6.7(a) of this chapter). If the board approves the executive's written plan, the board may suspend the political subdivision's distressed status for one hundred eighty (180) days. Suspension under this chapter terminates automatically upon expiration of the one hundred eighty (180) day period. The board may consider a petition to terminate the political subdivision's distressed status during a period of suspension.

(e) The board shall conduct a public hearing on the current status of the Gary Community School Corporation's status as a distressed unit before December 31, 2022. The board shall seek community input at the public hearing. The public hearing shall be conducted at a location that is within the boundaries of the Gary Community School Corporation.

SECTION 2. IC 20-26-5-40 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 40. (a) Subject to subsection (b), the governing body of a school corporation**

may enter into a public-private agreement for the construction of new school buildings.

(b) Before the governing body of a school corporation may enter into a public-private agreement under this section, the project plan, including the:

- (1) terms of the agreement;
- (2) total and annual cost to the school corporation; and
- (3) source of funding for the agreement, which may include revenue from a controlled projects referendum under IC 6-1.1-20-3.6;

must be reviewed by the budget committee."

Page 15, line 9, delete "Gary Community School Corporation Loan" and insert "**Distressed Political Subdivision**".

Page 15, line 10, delete "Forgiveness and".

Page 15, line 11, delete "the Gary Community" and insert "**a school corporation that has been designated as a distressed political subdivision under IC 6-1.1-20.3.**".

Page 15, delete lines 12 through 18.

Page 15, delete lines 21 through 28.

Page 15, line 29, delete "5." and insert "3."

Page 15, line 29, after "refers to" insert "**a school corporation that has been designated as a distressed political subdivision under IC 6-1.1-20.3.**".

Page 15, delete line 30.

Page 15, line 31, delete "6." and insert "4."

Page 15, line 32, delete "Gary Community School Corporation" and insert "**distressed political subdivision**".

Page 15, line 33, delete "8" and insert "5".

Page 15, delete lines 34 through 42, begin a new paragraph and insert:

"**Sec. 5. (a) The distressed political subdivision school improvement fund is established to provide, upon approval by the distressed unit appeal board, funds to a school corporation for any of the following purposes:**

- (1) The demolition of school buildings or other structures on school property that exist as of July 1, 2020.
- (2) The remodeling, repairing, or rehabilitation of school buildings that exist as of July 1, 2020.

(b) **The school improvement fund consists of the following:**

- (1) **Amounts deducted from a school corporation's state tuition support by the state board of finance as provided under section 6 of this chapter.**
- (2) **Amounts submitted from the sale of any real property, a building, or other structure owned by the Gary Community School Corporation as provided under section 9 of this chapter.**

(c) **The distressed unit appeal board shall establish a separate account within the fund for each school corporation and deposit in each school corporation's account the school corporation's amounts described in subsection (b).**

(d) **The treasurer of state shall invest the money in the school improvement fund not currently needed to meet the obligations of the school improvement fund in the same manner as other public funds may be invested.**

(e) **The distressed unit appeal board shall administer the school improvement fund and each account within the fund.**

(f) **Money in the school improvement fund and each**

account within the fund is continuously appropriated to carry out the purposes of the school improvement fund.

(g) **Money in the school improvement fund at the end of a state fiscal year does not revert to the state general fund but remains available to be used for the purposes of this chapter.**

Sec. 6. (a) Beginning July 1, 2020, the state board of finance shall continue to reduce each distribution of state tuition support to a school corporation that has its distribution of state tuition support reduced due to outstanding advances or loans from the common school fund under IC 20-49-4 and IC 6-1.1-20.3 in the amount:

- (1) that was agreed upon by the state and the school corporation; and
- (2) based on the number or amount of loans from the common school fund that are outstanding.

(b) **The following amount of the money that the state board of finance withholds from the distribution of state tuition support under this section must be deposited in the school improvement fund:**

- (1) **For each state fiscal year beginning after June 30, 2020, and ending before July 1, 2023, an amount equal to one hundred percent (100%) of the money that the state board of finance withholds from the distribution of state tuition support under this section for the state fiscal year.**
- (2) **For each state fiscal year beginning after June 30, 2023, and ending before July 1, 2026, an amount equal to seventy-five percent (75%) of the money that the state board of finance withholds from the distribution of state tuition support under this section for the state fiscal year.**
- (3) **For each state fiscal year beginning after June 30, 2026, and ending before July 1, 2030, an amount equal to fifty percent (50%) of the money that the state board of finance withholds from the distribution of state tuition support under this section for the state fiscal year.**

(c) **This section expires July 1, 2030.**

Sec. 7. (a) **A school corporation may not submit to the distressed unit appeal board a request for money from the school improvement fund unless:**

- (1) **the mayor of the city in which the school corporation is located has made recommendations concerning:**
 - (A) **the demolition of a school building or structure described in section 5(a)(1) of this chapter;**
 - (B) **the remodel, repair, or other improvement of a school building described in section 5(a)(2) of this chapter; or**
 - (C) **a combination of actions under clauses (A) through (B); and**
- (2) **the mayor of the city in which the school corporation is located submits the recommendations under subdivision (1) concerning a project plan to the distressed unit appeal board.**

(b) **If the distressed unit appeal board receives recommendations for a project plan submitted under subsection (a) and approves a project plan, the school**

corporation may submit to the distressed unit appeal board a request for money from the school improvement fund on a form prescribed by the distressed unit appeal board.

(c) The request under subsection (b) must include the following:

- (1) A copy of the applicable plan approved under subsection (b).
- (2) The amount of money the school corporation is requesting.
- (3) The specific project for which the school corporation intends to use the money.
- (4) A description of how the requested project aligns with the project plan approved by the distressed unit appeal board under subsection (b).
- (5) Any other information required by the distressed unit appeal board.

(d) The distressed unit appeal board may approve a request under this section only if the purpose for which the school corporation intends to use the money is included in the applicable project plan approved under subsection (b). The distressed unit appeal board may deny a request under this section.

Sec. 8. If the distressed unit appeal board approves a request under section 7 of this chapter, the distressed unit appeal board shall make payments from the school improvement fund for the purposes under section 5(a) of this chapter, as approved by the distressed unit appeal board.

Sec. 9. If the Gary Community School Corporation sells real property, a building, or other structure owned by the Gary Community School Corporation, the net proceeds from the sale must be submitted to the distressed unit appeal board for deposit into the school improvement fund.

Sec. 10. The withholding and deposit of state tuition support amounts of a school corporation in the school improvement fund under this chapter shall not prohibit or otherwise limit the authority of a school corporation to levy a property tax under IC 20-49-4-21."

Delete pages 16 through 20.

Renumber all SECTIONS consecutively.

(Reference is to SB 416 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 425, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 427, has had the

same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 7, delete "or verifying documentation".

Page 2, line 11, delete "Indiana." and insert "**Indiana or the person is the spouse of an active duty member of the armed forces assigned to Indiana.**".

Page 2, line 11, delete "has established residency in Indiana." and insert "**is the spouse of an active duty member of the armed forces assigned to Indiana.**".

Page 2, delete lines 12 through 15, begin a new line double block indented and insert:

"(B) The person is in good standing in all states in which the person holds a license for the regulated occupation applied for."

Page 2, line 23, delete "a complaint, allegation, or" and insert "an".

Page 2, between lines 26 and 27, begin a new line block indented and insert:

"(2) The person submits verification that the person is currently licensed in at least one (1) other state in the regulated occupation applied for."

Page 2, line 27, delete "(2)" and insert "(3)".

Page 2, line 31, delete "(3)" and insert "(4)".

Page 2, line 33, after "5." insert "**(a) An applicant who has met the requirements in section 4 of this chapter shall be issued a provisional license not more than thirty (30) days after the application is filed.**

(b)".

Page 2, line 35, after "6." insert "(a)".

Page 2, after line 37, begin a new paragraph and insert:

"(b) If the board discovers that any of the information submitted under section 4(1) of this chapter is false, the board may immediately revoke the person's provisional license.

Sec. 7. (a) This chapter does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.

(b) This chapter does not prohibit an individual from proceeding under other licensure, certification, registration, or permit requirements established by a board."

(Reference is to SB 427 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 434, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 435, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 15, delete "June 30, 2020," and insert "**October 31, 2020,**".

Page 4, line 16, delete "July 1, 2021," and insert "**May 1, 2021,**".

Page 5, line 24, delete "June 30, 2020, and before July 1," and insert "**October 31, 2020, and before May 1, 2021,**".

Page 5, line 25, delete "2021,".

Page 7, line 21, delete "July 1, 2020," and insert "**November 1, 2020,**".

Page 7, line 23, delete "June" and insert "**October 31, 2020, and before May 1, 2021,**".

Page 7, line 24, delete "30, 2020, and before July 1, 2021,".

Page 7, line 35, delete "July 1, 2021," and insert "**May 1, 2021,**".

Page 7, line 40, delete "July 1, 2021" and insert "**May 1, 2021**".

(Reference is to SB 435 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 436, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete line 17.

Page 2, delete lines 1 through 2.

Page 2, delete lines 8 through 42, begin a new paragraph and insert:

"(c) The attorney general has jurisdiction to appoint a special prosecutor in an action in which a prosecuting attorney refuses categorically to enforce a criminal law enacted by the general assembly, as described in section 1.2 of this chapter."

SECTION 2. IC 4-6-2-1.2, IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.2. (a) After complying with the procedure described in subsection (b), and except as provided in subsection (c), the attorney general may appoint a special prosecutor to prosecute a criminal case involving the commission of one (1) or more specified offenses, if:**

(1) a prosecuting attorney has announced as a matter of policy that the prosecuting attorney will not enforce all or part of a criminal statute enacted by the general assembly; or

(2) the attorney general has determined that a prosecuting attorney has categorically elected not to

enforce all or part of a criminal statute enacted by the general assembly.

The jurisdiction of the special prosecutor extends only to the prosecution of those offenses that the prosecuting attorney is refusing to enforce.

(b) If the attorney general reasonably believes that a prosecuting attorney is refusing to enforce all or part of a criminal statute as described in subsection (a), the attorney general shall notify the prosecuting attorney in writing that the attorney general intends to appoint a special prosecutor to enforce that criminal statute, and shall briefly describe the basis for the attorney general's belief that the prosecuting attorney is refusing to enforce the criminal statute as described in subsection (a). The attorney general shall serve a copy of the notice on the presiding judge or judges of the county and on the chief justice of Indiana. If the prosecuting attorney:

(1) does not file a criminal information within thirty (30) days of receipt of the notice; or

(2) expressly declines to enforce the statute; or

(3) does not offer a satisfactory reason, in the opinion of the attorney general, for the refusal to enforce the statute;

the attorney general has jurisdiction to appoint a special prosecutor to enforce the criminal statute.

(c) The attorney general does not have jurisdiction to appoint a special prosecutor to enforce a criminal statute if the prosecuting attorney's refusal to enforce the statute is based on:

(1) a reasonable, good faith belief that the statute is unconstitutional, or that prosecution would violate a court order or a federal law; or

(2) prosecutorial discretion, if the exercise of discretion reflects an individualized decision not to prosecute a specific case, based on a consideration of the unique facts and circumstances of that case.

(d) A person appointed to serve as a special prosecutor:

(1) must consent to the appointment; and

(2) must be:

(A) the prosecuting attorney or a deputy prosecuting attorney in a county other than the county in which the person is to serve as special prosecutor; or

(B) a senior prosecuting attorney as described in IC 33-39-10-1. A senior prosecuting attorney may be appointed to serve as a special prosecutor in a county in which the senior prosecuting attorney previously served if the attorney general determines that there is no conflict of interest.

(e) The county in which the attorney general appoints a special prosecutor to prosecute a case under this section shall reimburse the attorney general for the expenses of prosecuting the case.

(f) The attorney general shall submit an itemized statement of expenses to the county auditor, who shall pay the expenses from the county general fund, without appropriation, within thirty (30) days. The attorney general may submit an itemized statement for expenses as the expenses are incurred. The attorney general shall provide the

county fiscal body and the county executive with a copy of the itemized statement of expenses.

(g) Reimbursement to the attorney general may not exceed actual expenses incurred in prosecuting the action, including the amount necessary to compensate the special prosecutor and any special investigator or special prosecuting attorney. The attorney general shall deposit reimbursement received under this subsection in the attorney general prosecution fund established by section 13 of this chapter.

(h) The attorney general shall compensate the special prosecutor from the attorney general prosecution fund. If a special prosecutor is not regularly employed as a full-time prosecuting attorney or full-time deputy prosecuting attorney, the compensation for the special prosecutor's services may not exceed:

- (1) an hourly rate based upon the regular salary of a full-time prosecuting attorney of the appointing circuit;
- (2) travel expenses and reasonable accommodation expenses actually incurred; and
- (3) other reasonable expenses actually incurred, including the costs of investigation, trial and discovery preparation, and other trial expenses.

The amount of compensation a special prosecutor receives for services performed during a calendar day under subdivision (1) may not exceed the amount of compensation a full-time prosecuting attorney would receive in salary for the calendar day.

(i) If the special prosecutor is regularly employed as a full-time prosecuting attorney or deputy prosecuting attorney, the compensation for the special prosecutor's services must include a per diem equal to the regular salary of a full-time prosecuting attorney of the appointing circuit, travel expenses, and reasonable accommodation expenses actually incurred.

(j) With the consent of the attorney general, a prosecuting attorney may appoint an investigator employed by the attorney general or a deputy attorney general who is licensed to practice law in Indiana as a special investigator or special deputy prosecuting attorney to assist in the investigation or prosecution of the case. A special investigator or special deputy prosecuting attorney shall continue to receive the person's regular salary that the person receives as an employee of the attorney general. The attorney general is entitled to reimbursement for the special investigator's or special deputy prosecuting attorney's services in an amount that does not exceed:

- (1) an hourly rate based upon the regular salary of the investigator or deputy attorney general;
- (2) travel expenses and reasonable accommodation expenses actually incurred; and
- (3) other reasonable expenses actually incurred, including the costs of investigation, trial and discovery preparation, and other trial expenses."

Page 3, delete lines 1 through 31.

Page 3, line 36, delete "bringing a criminal prosecution" and insert **"appointing a special prosecutor"**.

Page 4, line 8, delete "assumption of jurisdiction under IC 4-6-2-1.1 and" and insert **"appointment of a special**

prosecutor under".

Page 4, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 5. IC 33-39-10-2, AS ADDED BY P.L.57-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person may be appointed as a special prosecutor:

- (1) as provided under this section; ~~or~~
- (2) in accordance with IC 4-2-7-7; ~~or~~
- (3) in accordance with IC 4-6-2-1.2.**

(b) A circuit court or superior court judge:

(1) shall appoint a special prosecutor if:

- (A) any person, other than a prosecuting attorney or the prosecuting attorney's deputy, files a verified petition requesting the appointment of a special prosecutor; and
- (B) the prosecuting attorney agrees that a special prosecutor is needed;

(2) may appoint a special prosecutor if:

- (A) a person files a verified petition requesting the appointment of a special prosecutor; and

(B) the court, after:

- (i) notice is given to the prosecuting attorney; and
- (ii) an evidentiary hearing is conducted at which the prosecuting attorney is given an opportunity to be heard;

finds by clear and convincing evidence that the appointment is necessary to avoid an actual conflict of interest or there is probable cause to believe that the prosecuting attorney has committed a crime;

(3) may appoint a special prosecutor if:

- (A) the prosecuting attorney files a petition requesting the court to appoint a special prosecutor; and
- (B) the court finds that the appointment is necessary to avoid the appearance of impropriety;

(4) may appoint a special prosecutor if:

- (A) an elected public official who is a defendant in a criminal proceeding files a verified petition requesting a special prosecutor within ten (10) days after the date of the initial hearing; and
- (B) the court finds that the appointment of a special prosecutor is in the best interests of justice; and

(5) shall appoint a special prosecutor if:

- (A) a previously appointed special prosecutor:
 - (i) files a motion to withdraw as special prosecutor; or
 - (ii) has become incapable of continuing to represent the interests of the state; and
- (B) the court finds that the facts that established the basis for the initial appointment of a special prosecutor still exist.

The elected prosecuting attorney who serves in the jurisdiction of the appointing court shall receive notice of all pleadings filed and orders issued under this subdivision.

(c) A person appointed to serve as a special prosecutor:

- (1) must consent to the appointment; and
- (2) must be:

- (A) the prosecuting attorney or a deputy prosecuting attorney in a county other than the county in which the

person is to serve as special prosecutor; or
 (B) a senior prosecuting attorney as described in section 1 of this chapter. A senior prosecuting attorney may be appointed to serve as a special prosecutor in a county in which the senior prosecuting attorney previously served if the court finds that the appointment would not create the appearance of impropriety.

(d) A person appointed to serve as a special prosecutor in a county has the same powers as the prosecuting attorney of the county. However, the appointing judge shall limit the scope of the special prosecutor's duties to include only the investigation or prosecution of a particular case or particular grand jury investigation.

(e) Upon making an appointment under this section, the court shall establish the length of the special prosecutor's term. At least one (1) time every six (6) months throughout the appointed term, a special prosecutor shall file a progress report with the appointing court. A progress report:

- (1) must inform the court of the:
 - (A) status of the investigation; and
 - (B) estimated time for completion of the special prosecutor's duties; and
- (2) may not:
 - (A) include substantive facts or legal issues; or
 - (B) offer preliminary conclusions.

The court may extend the term of appointment upon the request of the special prosecutor or terminate any appointment if the special prosecutor has failed to file reports or a request for an extended term under this subsection.

(f) If the target of an investigation by the special prosecutor is a public servant (as defined in IC 35-31.5-2-261), the court shall order the special prosecutor to file a report of the investigation with the court at the conclusion of the investigation. A report filed under this subsection is a public record under IC 5-14-3.

(g) If a special prosecutor is not regularly employed as a full-time prosecuting attorney or full-time deputy prosecuting attorney, the compensation for the special prosecutor's services:

- (1) shall be paid, as incurred, to the special prosecutor, following an application to the county auditor, from the unappropriated funds of the appointing county; and
- (2) may not exceed:
 - (A) an hourly rate based upon the regular salary of a full-time prosecuting attorney of the appointing circuit;
 - (B) travel expenses and reasonable accommodation expenses actually incurred; and
 - (C) other reasonable expenses actually incurred, including the costs of investigation, trial and discovery preparation, and other trial expenses.

The amount of compensation a special prosecutor receives for services performed during a calendar day under subdivision (2)(A) may not exceed the amount of compensation a full-time prosecuting attorney would receive in salary for the calendar day.

(h) If the special prosecutor is regularly employed as a full-time prosecuting attorney or deputy prosecuting attorney, the compensation for the special prosecutor's services:

- (1) shall be paid out of the appointing county's unappropriated funds to the treasurer of the county in

which the special prosecutor regularly serves; and
 (2) must include a per diem equal to the regular salary of a full-time prosecuting attorney of the appointing circuit, travel expenses, and reasonable accommodation expenses actually incurred."

Renumber all SECTIONS consecutively.

(Reference is to SB 436 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 3.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 437, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 448, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 19.

Page 20, delete lines 1 through 22.

Page 22, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 16. IC 16-21-6-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. (a) In addition to the reports filed under sections 3 and 6 of this chapter, not more than one hundred twenty (120) days after the end of each calendar year, each nonprofit hospital shall annually prepare a public report detailing the policies, procedures, activities, or any other actions taken by the nonprofit hospital in the preceding calendar year that were intended to make health care more affordable within the service area of the hospital.**

(b) The nonprofit hospital shall post the public report prepared under subsection (a) on the nonprofit hospital's Internet web site immediately after the completion of the report, and the report must remain posted on the Internet web site for at least one (1) year."

Page 22, delete lines 10 through 42, begin a new paragraph and insert:

"Sec. 1. For purposes of this chapter, "local investments" means investments in:

- (1) municipal bonds in Indiana;**
- (2) stocks of a corporation domiciled in and doing business with a physical presence in Indiana; or**

(3) equity capital economic development projects.

Sec. 2. (a) The following apply to a nonprofit hospital in Indiana:

(1) Not later than the end of calendar year 2022, a nonprofit hospital in Indiana shall have invested not less than ten percent (10%) of the hospital's unrestricted, board designated investment assets in local investments in the service area of the hospital.

(2) Beginning calendar year 2023, and each calendar year thereafter, a nonprofit hospital in Indiana shall invest and maintain not less than twenty percent (20%) of the hospital's unrestricted, board designated investment assets in local investments in the service area of the hospital.

(b) The local investments required under subsection (a) must be actual investments as reported on the hospital's balance sheet under IC 16-21-6-3(a)(1)(C).

Sec. 3. In the case of a nonprofit hospital operating in multiple states, the amount of the hospital's unrestricted, board designated investment assets that are subject to the local investment requirement under section 2 of this chapter is equal to the percentage amount of the hospital's unrestricted, board designated investment assets that are attributable to the service area of the hospital in Indiana."

Delete pages 23 through 25.

Renumber all SECTIONS consecutively.

(Reference is to SB 448 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 449, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 5-2-6-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26. (a)** As used in this section, "panel" refers to the disproportionality review panel created by subsection (b).

(b) The disproportionality review panel is created to examine juvenile court direct file, discretionary transfer, and waiver provisions for disparate racial impact.

(c) The panel consists of the following members:

(1) A representative of the judicial branch of government.

(2) A representative of the executive branch of government.

(3) A representative of a juvenile justice agency.

(4) A child advocate.

(5) A representative of a professional association that deals with youth of color, appointed by the governor.

(6) Two (2) members of the house of representatives appointed by the speaker of the house of representatives as nonvoting members. The two (2) members appointed under this section may not be of the same political party.

(7) Two (2) members of the senate appointed by the president pro tempore as nonvoting members. The two (2) members appointed under this section may not be of the same political party.

(d) Nonlegislative members appointed under subsection (c) shall be appointed by the governor and serve at the pleasure of the governor.

(e) Each member of the panel who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(f) Each member of the panel who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and to reimbursement of other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) Each member of the panel who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(h) The institute shall provide staff for the panel. The expenses incurred by the panel under this section shall be paid from appropriations made to the institute.

(i) The affirmative votes of a majority of the voting members appointed to the panel are required for the panel to take action on any measure, including reports.

(j) The panel has the duty to examine juvenile court direct file, discretionary transfer, and waiver provisions for disparate racial impact.

(k) Before November 1, 2021, the panel shall report its findings to the legislative council. The report shall be in an electronic format under IC 5-14-6.

(l) This section expires January 1, 2022."

Page 2, delete lines 1 through 34.

Page 3, delete line 42.

Page 4, delete lines 1 through 13.

Page 6, line 8, after "IC 11-10-2-10." insert "When the child reaches eighteen (18) years of age, the department shall submit a progress report to the court. The court shall review the report and determine whether release of the child is appropriate."

Page 6, delete lines 12 through 42.

Delete page 7.

Renumber all SECTIONS consecutively.
(Reference is to SB 449 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 4, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill 450, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 15, after "or" insert "**owned by**".

Page 2, delete line 1.

Page 2, line 2, delete "watercourse that" and insert "**manmade in-channel structure in a watercourse that is capable of generating hazardous recirculating currents that pose a risk to public health and safety and**".

Page 3, line 20, delete "one hundred (100)" and insert "**fifty (50)**".

(Reference is to SB 450 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 451, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 35-50-5-3, AS AMENDED BY P.L.111-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in subsection (i), (j), (l), or (m), in addition to any sentence imposed under this article for a felony or misdemeanor, the court may, as a condition of probation or without placing the person on probation, order the person to make restitution to the victim of the crime, the victim's estate, or the family of a victim who is deceased. The court shall base its restitution order upon a consideration of:

- (1) property damages of the victim incurred as a result of the crime, based on the actual cost of repair (or replacement if repair is inappropriate);
- (2) medical and hospital costs incurred by the victim (before the date of sentencing) as a result of the crime;
- (3) the cost of medical laboratory tests to determine if the crime has caused the victim to contract a disease or other medical condition;
- (4) earnings lost by the victim (before the date of sentencing) as a result of the crime including earnings lost while the victim was hospitalized or participating in the investigation or trial of the crime; and

(5) funeral, burial, or cremation costs incurred by the family or estate of a homicide victim as a result of the crime.

(b) A restitution order under subsection (a), (i), (j), (l), or (m) is a judgment lien that:

- (1) attaches to the property of the person subject to the order;
- (2) may be perfected;
- (3) may be enforced to satisfy any payment that is delinquent under the restitution order by the person in whose favor the order is issued or the person's assignee; and
- (4) expires;

in the same manner as a judgment lien created in a civil proceeding.

(c) When a restitution order is issued under subsection (a), the issuing court may order the person to pay the restitution, or part of the restitution, directly to:

(1) the victim services division of the Indiana criminal justice institute in an amount not exceeding:

- (A) the amount of the award, if any, paid to the victim under IC 5-2-6.1; and
- (B) the cost of the reimbursements, if any, for emergency services provided to the victim under IC 16-10-1.5 (before its repeal) or IC 16-21-8; or

(2) a probation department that shall forward restitution or part of restitution to:

- (A) a victim of a crime;
- (B) a victim's estate; or
- (C) the family of a victim who is deceased.

The victim services division of the Indiana criminal justice institute shall deposit the restitution it receives under this subsection in the violent crime victims compensation fund established by IC 5-2-6.1-40.

(d) When a restitution order is issued under subsection (a), (i), (j), (l), or (m), the issuing court shall send a certified copy of the order to the clerk of the circuit court in the county where the felony or misdemeanor charge was filed. The restitution order must include the following information:

- (1) The name and address of the person that is to receive the restitution.
- (2) The amount of restitution the person is to receive.

Upon receiving the order, the clerk shall enter and index the order in the circuit court judgment docket in the manner prescribed by IC 33-32-3-2. The clerk shall also notify the department of insurance of an order of restitution under subsection (i).

(e) An order of restitution under subsection (a), (i), (j), (l), or (m) does not bar a civil action for:

- (1) damages that the court did not require the person to pay to the victim under the restitution order but arise from an injury or property damage that is the basis of restitution ordered by the court; and
- (2) other damages suffered by the victim.

(f) Regardless of whether restitution is required under subsection (a) as a condition of probation or other sentence, the restitution order is not discharged by the completion of any probationary period or other sentence imposed for a felony or

misdemeanor.

(g) A restitution order under subsection (a), (i), (j), (l), or (m) is not discharged by the liquidation of a person's estate by a receiver under IC 32-30-5 (or IC 34-48-1, IC 34-48-4, IC 34-48-5, IC 34-48-6, IC 34-1-12, or IC 34-2-7 before their repeal).

(h) The attorney general may pursue restitution ordered by the court under subsections (a) and (c) on behalf of the victim services division of the Indiana criminal justice institute established under IC 5-2-6-8.

(i) The court may order the person convicted of an offense under IC 35-43-9 to make restitution to the victim of the crime. The court shall base its restitution order upon a consideration of the amount of money that the convicted person converted, misappropriated, or received, or for which the convicted person conspired. The restitution order issued for a violation of IC 35-43-9 must comply with subsections (b), (d), (e), and (g), and is not discharged by the completion of any probationary period or other sentence imposed for a violation of IC 35-43-9.

(j) The court may order the person convicted of an offense under IC 35-43-5-3.5 to make restitution to the victim of the crime, the victim's estate, or the family of a victim who is deceased. The court shall base its restitution order upon a consideration of the amount of fraud or harm caused by the convicted person and any reasonable expenses (including lost wages) incurred by the victim in correcting the victim's credit report and addressing any other issues caused by the commission of the offense under IC 35-43-5-3.5. If, after a person is sentenced for an offense under IC 35-43-5-3.5, a victim, a victim's estate, or the family of a victim discovers or incurs additional expenses that result from the convicted person's commission of the offense under IC 35-43-5-3.5, the court may issue one (1) or more restitution orders to require the convicted person to make restitution, even if the court issued a restitution order at the time of sentencing. For purposes of entering a restitution order after sentencing, a court has continuing jurisdiction over a person convicted of an offense under IC 35-43-5-3.5 for five (5) years after the date of sentencing. Each restitution order issued for a violation of IC 35-43-5-3.5 must comply with subsections (b), (d), (e), and (g), and is not discharged by the completion of any probationary period or other sentence imposed for an offense under IC 35-43-5-3.5.

(k) The court shall order a person convicted of an offense under IC 35-42-3.5 to make restitution to the victim of the crime in an amount equal to the greater of the following:

- (1) The gross income or value to the person of the victim's labor or services.
- (2) The value of the victim's labor as guaranteed under the minimum wage and overtime provisions of:
 - (A) the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201-209); or
 - (B) IC 22-2-2 (Minimum Wage);
 whichever is greater.

(l) The court shall order a person who:

- (1) is convicted of dealing in methamphetamine under IC 35-48-4-1.1 or manufacturing methamphetamine under IC 35-48-4-1.2; and

(2) manufactured the methamphetamine on property owned by another person, without the consent of the property owner;

to pay liquidated damages to the property owner in the amount of ten thousand dollars (\$10,000) or to pay actual damages to the property owner, including lost rent and the costs of decontamination by a qualified inspector certified under IC 16-19-3.1.

(m) The court shall order a person who:

- (1) is convicted of dealing in marijuana under IC 35-48-4-10(a)(1)(A); and
- (2) manufactured the marijuana on property owned by another person, without the consent of the property owner; to pay liquidated damages to the property owner in the amount of two thousand dollars (\$2,000).

(n) As used in this subsection, "crime stoppers" means a local or regional organization in Indiana that is a member of Crime Stoppers USA. If a person is convicted of an offense in which crime stoppers paid an award for a tip, the court may order the person to pay restitution to crime stoppers in an amount that does not exceed the amount of the award.

(Reference is to SB 451 as introduced.)
and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 455, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, delete lines 26 through 42, begin a new paragraph and insert:

"SECTION 7. IC 10-21-1-1, AS AMENDED BY P.L.50-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Accredited nonpublic school" means a nonpublic school ~~(as described under IC 20-18-2-12)~~ that:

(A) has voluntarily become accredited under ~~IC 20-19-2-8~~; **IC 20-31-4.1; or**

(B) is accredited by a national or regional accrediting agency that is recognized by the state board of education.

(2) "Active event warning system" refers to a system that includes services and technology that will notify available law enforcement agencies in the area of a school building of a life threatening emergency.

(3) "ADM" refers to average daily membership determined under IC 20-43-4-2. In the case of a school corporation career and technical education school described in IC 20-37-1-1, "ADM" refers to the count on a full-time equivalency basis of students attending the school on the date ADM is determined under IC 20-43-4-2.

(4) "Board" refers to the secured school safety board

established by section 3 of this chapter.

(5) "Fund" refers to the Indiana secured school fund established by section 2 of this chapter.

(6) "Law enforcement agency" refers to a state, local, or federal agency or department that would respond to an emergency event at a school, including both on duty and off duty officers within the agency or department.

(7) "Local plan" means the school safety plan described in IC 20-26-18.2-2(b).

(8) "School corporation or charter school" refers to an individual school corporation, a school corporation career and technical education school described in IC 20-37-1-1, or a charter school but also includes:

(A) a coalition of school corporations;

(B) a coalition of charter schools; or

(C) a coalition of both school corporations and charter schools;

that intend to jointly employ a school resource officer or to jointly apply for a matching grant under this chapter, unless the context clearly indicates otherwise.

(9) "School official" refers to an employee of a school corporation, charter school, or accredited nonpublic school who has access to an active event warning system.

(10) "School resource officer" has the meaning set forth in IC 20-26-18.2-1."

Delete pages 7 through 13.

Page 14, delete lines 1 through 28.

Page 25, delete lines 4 through 42, begin a new paragraph and insert:

"SECTION 25. IC 20-26-7.1-7, AS ADDED BY P.L.270-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. **(a) As used in this section, "accredited nonpublic school" means a nonpublic school that:**

(1) has voluntarily become accredited under IC 20-31-4.1; or

(2) is accredited by a national or regional accrediting agency that is recognized by the state board.

(a) (b) This section applies to a school building with a gross square footage of two hundred thousand (200,000) square feet or less.

(b) (c) If the school corporation receives notification from the department that the department has not received any preliminary requests to purchase or lease a vacant or unused school building under section 4(c)(1) of this chapter or a charter school has not met the requirements under section 4(c)(2) or 4(e) of this chapter, the school corporation must sell the school building to an accredited nonpublic school or postsecondary educational institution that sends a letter of intent to the school corporation to purchase the vacant or unused school building for an amount not more than the minimum bid for the vacant or unused school building determined in accordance with IC 36-1-11, or an amount agreed to by both parties.

(c) (d) The accredited nonpublic school or postsecondary educational institution must submit its letter of intent to purchase the school building within thirty (30) days of the date the school corporation passes a resolution or takes other official action to close, no longer use, or no longer occupy a school building that

was previously used for classroom instruction. However, in the event that a charter school has submitted a preliminary request to purchase or lease a school building, the accredited nonpublic school or postsecondary educational institution may send a letter of intent to purchase or lease the school building within ninety (90) days of the date that the school corporation passed a resolution or took official action to close, no longer use, or no longer occupy a school building.

(d) (e) Within forty-five (45) days of notice of the minimum bid, the accredited nonpublic school or postsecondary educational institution must provide a binding offer to the school corporation to purchase the property in its current condition and provide a nonrefundable down payment equal to five percent (5%) of the minimum bid or an amount agreed to by both parties. In the event that two (2) or more binding offers are submitted to the school corporation under this subsection, the school corporation may select which offer to accept.

(e) (f) If the sale of the property does not close within one hundred eighty (180) days of the school corporation's receipt of the binding offer, and the delay in closing is not caused by the school corporation or its representatives, the school corporation may refund the down payment and sell or otherwise dispose of the school building under IC 20-25-4-14, ~~IC 20-26-5-4(7);~~ **IC 20-26-5-4(a)(7)**, or IC 36-1-11."

Page 26, delete lines 1 through 4.

Page 30, line 42, delete "May 14, 2020." and insert "**June 30, 2020.**"

Page 32, line 5, delete "May 14, 2020." and insert "**June 30, 2020.**"

Page 32, line 34, delete "May 14, 2020." and insert "**June 30, 2020.**"

Page 32, line 37, delete "May" and insert "**June 30, 2020.**"

Page 32, delete line 38.

Page 47, line 24, delete "A school" and insert "**A school corporation or school.**"

Page 48, between lines 14 and 15, begin a new paragraph and insert

"Sec. 5. The state board may revoke the accreditation of a school under this chapter if the state board determines the following:

(1) The school has failed to meet the accreditation standards established by the state board.

(2) The school has failed to comply with a federal or state law or regulation."

Page 48, line 15, delete "5." and insert "**6.**"

Page 50, line 38, delete "at least" and insert "**less than.**"

Page 53, delete lines 32 through 42.

Delete page 54.

Page 55, delete lines 1 through 40, begin a new paragraph and insert:

"SECTION 74. IC 20-33-5-9, AS AMENDED BY P.L.286-2013, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. **(a) As used in this section, "accredited nonpublic school" means a nonpublic school that:**

(1) has voluntarily become accredited under IC 20-31-4.1; or

(2) is accredited by a national or regional accrediting agency that is recognized by the state board.

~~(a)~~ **(b)** If a parent of a child or an emancipated minor who is enrolled in an accredited nonpublic school meets the financial eligibility standard under section 2 of this chapter, the parent or the emancipated minor may receive a reimbursement from the department as provided in this chapter for the costs or some of the costs incurred by the parent or emancipated minor in fees that are reimbursable under section 7 of this chapter.

~~(b)~~ **(c)** The department shall provide each accredited nonpublic school with sufficient application forms for assistance, prescribed by the state board of accounts.

~~(c)~~ **(d)** Each accredited nonpublic school shall provide the parents or emancipated minors who wish to apply for assistance with:

- (1) the appropriate application forms; and
- (2) any assistance needed in completing the application form.

~~(d)~~ **(e)** The parent or emancipated minor shall submit the application to the accredited nonpublic school. The accredited nonpublic school shall make a determination of financial eligibility subject to appeal by the parent or emancipated minor.

~~(e)~~ **(f)** If a determination is made that the applicant is eligible for assistance, subsection ~~(a)~~ **(b)** applies.

~~(f)~~ **(g)** To be guaranteed some level of reimbursement from the department, the principal or other designee shall submit the reimbursement request before November 1 of a school year.

~~(g)~~ **(h)** In its request, the principal or other designee shall certify to the department:

- (1) the number of students who are enrolled in the accredited nonpublic school and who are eligible for assistance under this chapter;
- (2) the costs incurred in providing:
 - (A) curricular materials (including curricular materials used in special education and high ability classes); and
 - (B) workbooks, digital content, and consumable curricular materials (including workbooks, consumable curricular materials, and other consumable teaching materials that are used in special education and high ability classes) that are used by students for not more than one (1) school year;
- (3) that the curricular materials described in subdivision (2)(A) (except any curricular materials used in special education classes and high ability classes) have been adopted by the governing body; and
- (4) any other information required by the department.

~~(h)~~ **(i)** The amount of reimbursement that a parent or emancipated minor is entitled to receive shall be determined as provided in section 9.5 of this chapter.

~~(i)~~ **(j)** The accredited nonpublic school shall distribute the money received under this chapter to the appropriate eligible parents or emancipated minors.

~~(j)~~ **(k)** Section 7(f) of this chapter applies to parents or emancipated minors as described in this section.

~~(k)~~ **(l)** The accredited nonpublic school and the department shall maintain complete and accurate information concerning the number of applicants determined to be eligible for assistance

under this section.

~~(l)~~ **(m)** The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 75. IC 20-33-5-9.5, AS AMENDED BY P.L.205-2013, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.5. (a) This section applies to reimbursements made under this chapter in the state fiscal year beginning after June 30, 2013.

(b) The amount of reimbursement that a school corporation or an accredited nonpublic school **(as defined in section 9(a) of this chapter)** is entitled to receive under section 7 of this chapter in a state fiscal year is equal to the amount determined in the following STEPS:

STEP ONE: Determine the amount appropriated to make reimbursements under this chapter for the state fiscal year.

STEP TWO: Determine the total number of eligible students for which reimbursement was requested under either section 7 or 9 of this chapter before November 1 of the previous calendar year by all school corporations and accredited nonpublic schools.

STEP THREE: Divide the result determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Multiply:

(A) the STEP THREE result; by

(B) the number of eligible students for which reimbursement was requested under section 7 or 9 of this chapter before November 1 of the state fiscal year by the school corporation or the accredited nonpublic school."

Renumber all SECTIONS consecutively.

(Reference is to SB 455 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

RAATZ, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 54.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 148.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be removed as second author of Senate Bill 295.

CRANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author and Senator Crane be added as third author of Senate Bill 295.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 398.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 24 Senator Melton

Honoring the Kappa Alpha Psi fraternity.

SR 20 Senator Breaux

Urging the legislative council to assign the topic of scholarships for minority students pursuing higher education in the field of health care.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 24

Senate Concurrent Resolution 24, introduced by Senator Melton:

A CONCURRENT RESOLUTION honoring the Kappa Alpha Psi fraternity for its century of service within the community and its unyielding appreciation and support of diversity in all its forms.

Whereas, Kappa Alpha Psi, originally Kappa Alpha Nu, was established on January 5th, 1911 at Indiana University in Bloomington;

Whereas, This was the first and only African-American fraternity to this date founded on that campus and the third African-American college-based fraternity founded in the country;

Whereas, The young, intellectual, and talented 10 undergraduate college students herewith revered as the Founders were Elder Watson Diggs, Dr. Ezra Dee Alexander, Attorney Henry T. Asher, Dr. Byron K. Armstrong, Dr. Marcus Peter Blakemore, Paul W. Caine, George Wesley Edmonds, Dr. Guy Levis Grant, Edward Giles Irvin, and John Milton Lee;

Whereas, Kappa Alpha Psi Fraternity has grown to include over 700 chapters and has initiated over 30,000 men. The

fraternity still maintains and lives by its motto from inception "Achievement in Every Field of Human Endeavor";

Whereas, Kappa Alpha Psi has a history saturated with philanthropic endeavors and acts of service. The national programs that define the fraternity to date are the Guide Right Program, commonly known as the Kappa Leadership Development League, the Sunday of Hope Project which directly benefits St. Jude Children's Hospital and has raised over a million dollars, such that the fraternity will now have a wing at the hospital named in its honor, and the well-known Kappa Kamp held each year at Piney Woods Boarding School in Mississippi; and

Whereas, Kappa Alpha Psi continues to serve as an avenue for young African American men to better themselves in the company of fraternal brothers and it is with great pride that we acknowledge the history of a respected service organization nationally and internationally in the state of Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana Senate honors the Kappa Alpha Psi fraternity for its century of service within the community and unyielding appreciation and support of diversity in all its forms.

SECTION 2. The Secretary of the Senate is hereby directed to transmit five copies of this Resolution to the members of Kappa Alpha Psi.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Summers.

Senate Resolution 20

Senate Resolution 20, introduced by Senator Breaux:

A SENATE RESOLUTION to urge the legislative council to assign to the appropriate study committee the topic of scholarships for minority students pursuing higher education in the field of health care.

Whereas, Numerous studies have documented that there are significant differences in health outcomes and health care quality among racial and ethnic minority groups in the U.S.;

Whereas, Health care disparities among minority populations translate into negative health outcomes including; increased mortality rates for African-American women with breast cancer, increased mortality rates for African-American infants, and substantially higher youth mortality rates among Hispanic and African-American children when compared to their Caucasian counterparts;

Whereas, Disparities in health care pose a moral and ethical dilemma for minority communities in Hoosier society and threaten to hamper efforts to improve the state's health. Missed

diagnoses and poor management of chronic conditions often translate into avoidable, higher costs for health care systems;

Whereas, Diversity in health care providers improves access to health care for underserved populations, leads to increased racial and ethnic minority patient choice and satisfaction, and diversity in educational environments improves the quality of education for health professionals, which, in turn improves their ability to treat patients from a wide range of cultural and social backgrounds;

Whereas, Currently in Indiana, minority higher education students can apply for the William A. Crawford Minority Teacher Scholarship for minority students pursuing a career in education and since 2016, Indiana has distributed 327 of these scholarships totaling \$1,007,594;

Whereas, The Indiana Legislature should study whether a similar scholarship program for minority students seeking degrees in health professions may help to increase diversity and retain health professionals in Indiana; and

Whereas, Indiana must do more to improve diversity among health professionals: Therefore,

*Be it resolved by the Senate of the
General Assembly of the State of Indiana:*

SECTION 1. That the Indiana Senate urges the legislative council to assign to the appropriate study committee the topic of scholarships for minority students pursuing higher education in the field of health care.

The resolution was read in full and adopted by voice vote.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that Senator Koch has been excused from voting on Engrossed Senate Bill 109 pursuant to the Report of the Committee on Ethics adopted on January 27, 2020.

BRAY

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 10 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution

20 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1207, 1218, 1222, 1243, 1246, 1267, 1279, 1283, 1288, 1301, 1305, 1313, 1334, 1336, 1337, 1341, 1346, 1347, 1370, and 1372 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1003, 1004, 1066, 1076, 1080, 1081, 1082, 1092, 1093, 1099, 1131, 1132, 1145, 1147, 1153, 1181, 1182, 1189, 1198, and 1199 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 16 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1070, 1165, 1225, and 1403 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 21 and 22 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE BILLS ON SECOND READING

Senate Bill 5

Senator Charbonneau called up Senate Bill 5 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 5-1)

Madam President: I move that Senate Bill 5 be amended to read as follows:

Page 1, line 6, delete "a provider from disclosing the pricing for health care" and insert **"the disclosure of health care service claims data to employers providing the coverage. However, any disclosure of claims data must comply with health privacy laws, including the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191)."**

Page 1, delete line 7.

Page 1, line 8, delete "by the issuer of a health provider".

Page 1, line 9, delete "contract".

Page 8, line 21, delete "provisions" and insert **"the disclosure of health care service claims data."**

Page 8, delete lines 22 through 23.

(Reference is to SB 5 as printed January 24, 2020.)

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

Senate Bill 6

Senator Bohacek called up Senate Bill 6 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 54

Senator Doriot called up Senate Bill 54 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 62

Senator Grooms called up Senate Bill 62 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 109

Senator Crider called up Senate Bill 109 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 109-3)

Madam President: I move that Senate Bill 109 be amended to read as follows:

Page 2, delete lines 3 through 5.

Page 2, line 8, delete "(c)." and insert **"(c), so long as the injured person is less than thirty-one (31) years of age."**

(e) If the injured person is thirty-one (31) years of age or older, an action under subsection (c) may only be revived if:

(1) the cause of action is brought against the alleged perpetrator; and

(2) one of the following occurs:

(A) Evidence is discovered through DNA (deoxyribonucleic acid) analysis sufficient to support the action.

(B) A recording (as defined in IC 35-31.5-2-273) is discovered which supports the action.

(C) A person confesses to the sexual abuse."

(Reference is to SB 109 as reprinted January 28, 2020.)

FREEMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 148

Senator Doriot called up Senate Bill 148 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 148-1)

Madam President: I move that Senate Bill 148 be amended to read as follows:

Page 7, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 16. IC 36-7-2-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) A unit may not adopt or enforce an ordinance, regulation, requirement, or restriction that mandates size requirements for a manufactured home (as defined in IC 36-7-4-1109.5) that will be placed in a mobile home or manufactured home community as described in IC 16-41-27.

(b) Nothing in this section shall be construed to prohibit a unit from adopting or enforcing a requirement of an ordinance related to:

(1) transportation;

(2) water and sewer service; or

(3) another requirement concerning the use or development of land."

Page 8, delete lines 1 through 9.

Page 8, line 36, delete "and".

Page 8, line 37, after "requirements;" insert **"and"**.

Page 8, between lines 37 and 38, begin a new line block indented and insert:

"(4) the same aesthetic appearance;"

(Reference is to SB 148 as printed January 28, 2020.)

DORIOT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 170

Senator Messmer called up Senate Bill 170 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 171

Senator Grooms called up Senate Bill 171 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 178

Senator Walker called up Senate Bill 178 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 179

Senator Walker called up Senate Bill 179 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 179-1)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 11, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 6. IC 3-11-16-5, AS ADDED BY P.L.100-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Each county election board shall regularly provide information to the program to update the inventory of voting systems and electronic poll books maintained under section 4 of this chapter.

(b) Not later than eighty-one (81) days before the election, the county election board shall identify to the program the voting systems listed in the inventory of voting systems and electronic poll books maintained under section 4 of this chapter that will be used for absentee voting or on election day.

(c) Not later than January 31 of each year, the county election board shall certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board.

(d) Not later than ten (10) days after a county election board:

- (1) acquires a voting system or electronic poll books; or**
- (2) disposes of a voting system or electronic poll book under IC 3-11-15-59;**

the county election board shall provide information to the program of the acquisition or disposal to update the inventory of voting systems and electronic poll books maintained under section 4 of this chapter and certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board."

Renumber all SECTIONS consecutively.

(Reference is to SB 179 as printed January 28, 2020.)

J.D. FORD

Motion failed.

SENATE MOTION
(Amendment 179-2)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 11. between lines 32 and 33, begin a new paragraph and insert:

"SECTION 6. IC 3-11-15-13.3, AS AMENDED BY P.L.71-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13.3. (a) To be approved by the commission for use in Indiana, a voting system must meet one (1) of the following:

- (1) The Voting System Standards adopted by the Federal Election Commission on April 30, 2002.
- (2) The Voluntary Voting System Guidelines adopted by the United States Election Assistance Commission on December 13, 2005.

(3) The Voluntary Voting System Guidelines adopted by the United States Election Assistance Commission, as amended on March 31, 2015.

(b) Except as provided in subsection (c), a county may continue to use an optical scan ballot card voting system or an electronic voting system whose approval or certification expired on or before October 1, 2017, if the voting system:

(1) was:

(A) approved by the commission for use in elections in Indiana before October 1, 2017; and

(B) purchased or leased by the county before October 1, 2017; and

(2) otherwise complies with the applicable provisions of HAVA and this article.

However, a voting system vendor may not market, sell, lease, or install a voting system described in this subsection.

(c) A county may not continue to use an electronic voting system after December 31, ~~2020~~, **2021**, unless the:

(1) system includes a voter verifiable paper audit trail; and

(2) certification of that system by the commission has not expired.

(d) As provided by 52 U.S.C. 21081, to be used in an election in Indiana, a voting system must be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters.

(e) As provided by 52 U.S.C. 21081, an election board conducting an election satisfies the requirements of subsection (d) if the election board provides at least one (1) electronic voting system or other voting system equipped for individuals with disabilities at each polling place.

(f) If a voter who is otherwise qualified to cast a ballot in a precinct chooses to cast the voter's ballot on the voting system provided under subsection (e), the voter must be allowed to cast the voter's ballot on that voting system, whether or not the voter is an individual with disabilities."

Renumber all SECTIONS consecutively.

(Reference is to SB 179 as printed January 28, 2020.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 96: yeas 10, nays 40.

Motion failed.

SENATE MOTION
(Amendment 179-3)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 11, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 6. IC 3-11-15-59, AS ADDED BY P.L.100-2018, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Whenever a county wishes to dispose of a voting system unit or an electronic poll book unit, the county election board must first file a plan with the election division. The plan must ~~state~~: **include all of the**

following:

- (1) The serial number of each unit to be disposed of by the county.
 - (2) The method to be used for disposal of the equipment, including sale, transfer, or destruction of the equipment. **and**
 - (3) **A statement** that the disposal will occur in compliance with federal and **state Indiana** laws requiring the retention of election materials until the expiration of the period specified by those laws.
 - (4) **A description of the procedures that will be taken to comply with subsection (b).**
- (b) When disposing of a voting system unit or an electronic poll book unit, a county election board must comply with both of the following, as in effect on January 1, 2020:**
- (1) The National Institute of Standards and Technology Special Publication 800-88, Revision 1.**
 - (2) Guidance described in "Wiping Election Equipment before Disposal, Sale, or Destruction" approved by the Election Assistance Commission.**
- (c) A county election board may, but is not required to, comply with a more recent version of the publication described in subsection (b)(1) or the guidance described in subsection (b)(2). A county election board that complies with a more recent version of the publication described in subsection (b)(1) or the guidance described in subsection (b)(2) is considered to have complied with subsection (b).**
- (d) If the election division approves the proposed plan, the election division shall notify:**
- (1) the county election board, which may then dispose of the equipment; and
 - (2) the voting system technical oversight program (VSTOP) (established by IC 3-11-16-2)."
- Renumber all SECTIONS consecutively.
(Reference is to SB 179 as printed January 28, 2020.)

J.D. FORD

Motion failed. The bill was ordered engrossed.

Senate Bill 214

Senator Lonnie M. Randolph called up Senate Bill 214 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 238

Senator L. Brown called up Senate Bill 238 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 258

Senator Koch called up Senate Bill 258 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 259

Senator Spartz called up Senate Bill 259 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 259-1)

Madam President: I move that Senate Bill 259 be amended to read as follows:

Page 2, after line 6, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2020] **(a) As used in this SECTION, "department" refers to the department of child services.**

(b) Before November 1, 2020, the department shall report to the interim study committee on public health, behavioral health, and human services in an electronic format under IC 5-14-6 concerning the department's development, timeline, and implementation of the federal Family First Prevention Services Act.

(c) The report must include an estimate of current and future state expenditures and federal funding concerning the federal Family First Prevention Services Act.

(d) This SECTION expires December 31, 2021."

Renumber all SECTIONS consecutively.

(Reference is to SB 259 as printed January 29, 2020.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 262

Senator Busch called up Senate Bill 262 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 264

Senator Holdman called up Senate Bill 264 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 268

Senator Jon Ford called up Senate Bill 268 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 288

Senator Doriot called up Senate Bill 288 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 292

Senator Sandlin called up Senate Bill 292 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 309

Senator Niezgodski called up Senate Bill 309 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 312

Senator Niezgodski called up Senate Bill 312 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 317

Senator Sandlin called up Senate Bill 317 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 330

Senator Zay called up Senate Bill 330 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 331

Senator Zay called up Senate Bill 331 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 334

Senator Walker called up Senate Bill 334 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 334-2)

Madam President: I move that Senate Bill 334 be amended to read as follows:

Page 4, delete lines 10 through 42.

Delete page 5.

Page 6, delete lines 1 through 35.

Renumber all SECTIONS consecutively.

(Reference is to SB 334 as printed January 28, 2020.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 97: yeas 10, nays 40.

Motion failed.

SENATE MOTION
(Amendment 334-1)

Madam President: I move that Senate Bill 334 be amended to read as follows:

Page 1, delete lines 1 through 4.

Delete pages 9 through 10.

Page 11, delete lines 1 through 23, begin a new paragraph and insert:

"SECTION 7. IC 3-7-38.2-5.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.2. (a) Not later than June 1, 2020, the secretary of state shall take all necessary actions so that the state of Indiana is admitted to the Electronic Registration Information Center, Inc. (ERIC).**

(b) The secretary of state may use money appropriated to the election division for voter list maintenance to pay the membership fee and annual membership dues to join ERIC.

If there is insufficient money appropriated for voter list maintenance to pay these costs, the secretary of state may use any appropriations to the election division to pay these costs."

Renumber all SECTIONS consecutively.

(Reference is to SB 334 as printed January 28, 2020.)

J.D. FORD

Motion failed. The bill was ordered engrossed.

Senate Bill 345

Senator Houchin called up Senate Bill 345 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 350

Senator Holdman called up Senate Bill 350 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 365

Senator Niemeyer called up Senate Bill 365 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 368

Senator Stoops called up Senate Bill 368 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 368-1)

Madam President: I move that Senate Bill 368 be amended to read as follows:

Delete the preamble.

Page 3, line 19, delete "forest preservation" and insert **"conservation of forest lands, reforestation,"**

Page 3, line 23, delete "forest preservation" and insert **"conservation of forest lands, reforestation,"**

(Reference is to SB 368 as printed January 28, 2020.)

STOOPS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 369

Senator Altig called up Senate Bill 369 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 385

Senator Freeman called up Senate Bill 385 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 385-2)

Madam President: I move that Senate Bill 385 be amended to read as follows:

Page 2, delete lines 16 through 20.

Page 2, line 21, reset in roman "(d)".
 Page 2, line 21, delete "(e)".
 Page 2, line 22, delete "current cash" and insert "**assessed**".
 Page 2, line 26, reset in roman "(e)".
 Page 2, line 26, delete "(f)".
 Page 2, line 36, delete "current cash" and insert "**assessed**".
 Page 2, line 38, delete "current cash" and insert "**assessed**".
 Page 2, delete lines 41 through 42.
 Delete page 3.
 Page 4, delete lines 1 through 13.
 Renumber all SECTIONS consecutively.
 (Reference is to SB 385 as printed January 29, 2020.)

FREEMAN

Motion prevailed.

SENATE MOTION
 (Amendment 385-1)

Madam President: I move that Senate Bill 385 be amended to read as follows:

Page 2, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 2. IC 6-1.1-3-29 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JANUARY 1, 2021]: **Sec. 29. (a) Beginning in 2022, the department shall determine for each school corporation the amount equal to the difference between:**

- (1) the amount of tax revenue that the school corporation would have received from property taxes attributable to business personal property assessed if the acquisition cost of the business personal property had been used in determining the assessed value of a taxpayer's total business personal property for purposes of section 7.2 of this chapter; and**
- (2) the amount of tax revenue that the school corporation actually received from property taxes attributable to business personal property assessed using the current cash value of the business personal property in determining the assessed value of a taxpayer's total business personal property as required in section 7.2 of this chapter;**

for the previous year.

(b) If the amount determined under subsection (a)(1) is greater than the amount determined under subsection (a)(2), the school corporation is entitled to receive a distribution under subsection (c) in the amount of the difference.

(c) For each school corporation that is entitled to receive a distribution under subsection (b), the department shall certify the amount determined to the auditor of state. The auditor of state shall annually distribute the amounts certified by the department from the state general fund to each county auditor for distribution to the school corporation."

Renumber all SECTIONS consecutively.
 (Reference is to SB 385 as printed January 29, 2020.)

G. TAYLOR

Motion failed. The bill was ordered engrossed.

Senate Bill 433

Senator Bassler called up Senate Bill 433 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 433-1)

Madam President: I move that Senate Bill 433 be amended to read as follows:

Page 2, line 19, after "residence." insert "**In addition to applying for a grant from the Hazard Mitigation Assistance Grant Program under this subsection, the department shall apply to every other governmental or nongovernmental grant program the department identifies after diligent inquiry as a potential source of funds to compensate the owner of an abode or residence described in this subsection for the loss of the abode or residence.**".

(Reference is to SB 433 as printed January 28, 2020.)

BASSLER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 438

Senator Leising called up Senate Bill 438 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 438-1)

Madam President: I move that Senate Bill 438 be amended to read as follows:

Page 10, between lines 15 and 16, begin a new line double block indented and insert:

"(H) One (1) individual with knowledge of pesticides who represents the interests of the pest control and extermination industry.

(I) One (1) individual with knowledge of pesticides who represents the interests of tomato growers."

(Reference is to SB 438 as printed January 28, 2020.)

LEISING

Motion prevailed. The bill was ordered engrossed.

Senate Bill 99

Senator Glick called up Senate Bill 99 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS
 ON THIRD READING

Engrossed Senate Bill 71

Senator Doriot called up Engrossed Senate Bill 71 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 98: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Torr, Manning, and Miller.

Engrossed Senate Bill 98

Senator Becker called up Engrossed Senate Bill 98 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 99: yeas 30, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Bacon.

Engrossed Senate Bill 241

Senator L. Brown called up Engrossed Senate Bill 241 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 100: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Lehman.

Engrossed Senate Bill 272

Senator Jon Ford called up Engrossed Senate Bill 272 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 101: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Torr.

Engrossed Senate Bill 424

Senator Rogers called up Engrossed Senate Bill 424 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 102: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Engleman.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author of Senate Bill 6.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 27.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 54.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 62.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 62.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 97.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Melton and G. Taylor be added as coauthors of Senate Bill 98.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second author of Senate Bill 99.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Buck, Freeman, Rogers, and Glick be added as coauthors of Senate Bill 139.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 139.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 170.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author of Senate Bill 171.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author, Senator Crane be added as third author, and Senator Grooms be added as coauthor of Senate Bill 178.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as second author, Senator Jon Ford be added as third author, and Senator Grooms be added as coauthor of Senate Bill 179.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 183.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bassler, Gaskill, and Sandlin be added as coauthors of Senate Bill 184.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author and Senators M. Young and Bohacek be added as coauthors of Senate Bill 209.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Rogers and Glick be added as coauthors of Senate Bill 209.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 209.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 214.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 216.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 216.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 241.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 243.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author, Senator Spartz be added as third author, and Senators Donato and Rogers be added as coauthors of Senate Bill 244.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 244.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 258.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 259.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Raatz, Rogers, J.D. Ford, Grooms, Becker, Lonnie M. Randolph, and G. Taylor be added as coauthors of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as third author of Senate Bill 263.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be removed as coauthor of Senate Bill 264.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 264.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author and Senator Mrvan be added as coauthor of Senate Bill 268.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as third author of Senate Bill 268.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author and Senators Becker and Grooms be added as coauthors of Senate Bill 273.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 288.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as second author and Senators Houchin and Donato be added as coauthors of Senate Bill 289.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 289.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be added as third author of Senate Bill 292.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 299.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 309.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 309.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 309.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be removed as coauthor of Senate Bill 312.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 312.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 312.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Leising, Donato, and Spartz be added as coauthors of Senate Bill 319.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 325.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author, Senator Jon Ford be added as third author, and Senator Crane be added as coauthor of Senate Bill 334.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third author of Senate Bill 343.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 343.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and J.D. Ford be added as coauthors of Senate Bill 345.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 345.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 345.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 363.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as coauthor of Senate Bill 368.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as coauthor of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 383.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as third author of Senate Bill 398.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 410.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 430.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second author of Senate Bill 434.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second author of Senate Bill 435.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author of Senate Bill 436.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 437.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second author of Senate Bill 438.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 450.

BUSCH

Motion prevailed.

January 30, 2020

Senate 277

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 455.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 3, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 4:09 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate